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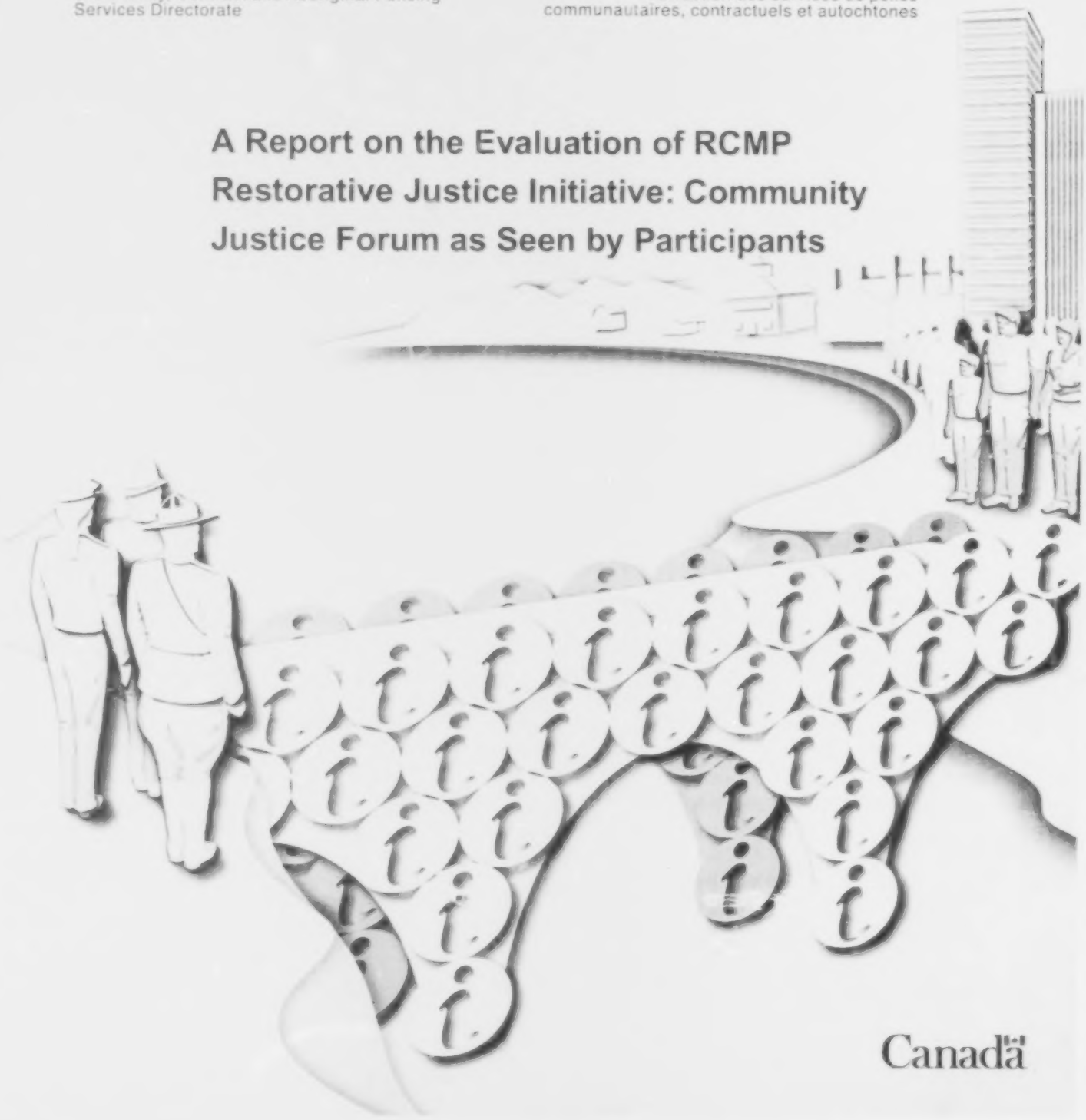
A Report on the Evaluation of RCMP Restorative Justice Initiative: Community Justice Forum as Seen by Participants



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A Report on the Evaluation of RCMP Restorative Justice Initiative: Community Justice Forum as Seen by Participants

by

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The views expressed in this paper are those of the author and are not necessarily those of the Royal Canadian Mounted Police or the Government of Canada

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Executive Summary

The concept of "*restorative justice*", in spite of the wide diversity in its actual implementation methods, can generally be described as a way of dealing with the harm caused by an offence by involving the victim(s), the offender(s), and the community that has been affected. The outcomes that are sought include restoring harmony in the community by repairing, as much as possible, both material and psychological damages to the victim(s), and re-integration of the offender (thereby preventing recidivism) by the use of shame and remorse for committing a wrong action. The offender is expected to 'pay' by taking active responsibility for causing the harm and by being accountable to the victim and the community for repairing or minimizing the injuries. The process helps the offender to experience shame for committing the harmful action - but in a reintegrative way, in a caring and supporting context. The proponents of *restorative justice* believe this approach to be more fair, satisfying, efficient and effective than the conventional, court-based, adversarial approach to justice.

This new (yet ancient) way of dealing with offending behaviours was seen by all key players in Canada (e.g., The Solicitor General, the Director of RCMP Community, Contract and Aboriginal Services Directorate or CCAPS and Judge David Arnot) as a natural extension of the Aboriginal Justice Initiative launched by the Federal Department of Justice in 1991. Consequently, the RCMP adopted the philosophy of *restorative justice*, and has taken the initiative to implement this approach through one of its tools, the "Community Justice Forum" (CJF), a term of choice for its emphasis on community involvement, instead of the term "Family Group Conferencing" (FGC) as it is known in Australia and New Zealand. The initiative has expanded to a large number of detachments across the country through three "Train the Trainers" workshops, held by the RCMP in January, 1997. Currently, CJFs are being successfully used for youths and sometimes for adults in conflict with the law, and the types of offences which are

being commonly dealt with include theft, assault, vandalism, "bullying", property damage, drug use and possession, shoplifting, and breaking and entering.

The current evaluation project of the RCMP initiative was undertaken by the Research and Evaluation Branch of the CCAPS directorate in December, 1997. The first part was an evaluation of the "Train the Trainers" component, which includes (a) effectiveness of the three initial training workshops in training RCMP and community members to be competent trainers, and (b) effectiveness of these trainee-trainers to train others in conducting CJFs, and the second part consists of an evaluation of the effectiveness of CJFs through perceptions of CJF participants and facilitators, based on their actual experience. The first report provided information on the first major part of the evaluation, and the present report provides information regarding the second part, dealing with how effective the CJFs have been according to those who had direct experience with them.

Various data collection methods, such as mail-in questionnaires, telephone interviews and in-depth personal interviews were utilized in order to collect information regarding the following basic variables hypothesized to be associated with *restorative justice* (not compared to those associated with conventional 'retributive' justice, because the methodology did not allow such a comparison): (1).CJF participants' overall satisfaction, (2). CJF participants' satisfaction with the process, and (3). CJF participants' satisfaction with the outcome/agreement. A 5-point Likert-type scale was utilized for collecting all quantitative data: where 1 meant 'very little', 2 meant 'somewhat', 3 indicated 'medium', 4 denoted 'quite a bit' and 5 meant 'very much'.

Additional information was collected regarding other issues such as participants' perception of *regained control* over what happened in the community, victims' *willingness to give the offender a second chance*, victims' *fear of revictimization*, *the extent to which participants felt that justice was done*, and if they had to do it over again what would they choose: *the court or the CJF*. Similar information was collected from CJF facilitators as well, by using questionnaires and face-to-face in-depth interviews. Most respondents seemed to enjoy the interviews, and to provide honest, thoughtful and candid responses (the CJF participants were assured of anonymity and confidentiality).

CJF Participants' Views. The results of this study, based on responses collected from a total of 239 CJF participants, showed that the mean ratings for *overall satisfaction* as well as *levels of satisfaction with procedural and outcome fairness* were high among all participants. Almost all participants reported they felt 'quite' (39% rated it 4) or 'very' (51% rated 5) satisfied with the CJFs, and others felt 'moderate' level of satisfaction. Eighty-five percent of offenders and 94% of victims reported they felt either 'quite' or 'very much' satisfied with the CJF overall.

Similarly, 96% of all participants indicated that they felt the CJF *process* was 'very' (5) or'quite'(4) fair. In spite of the generally high level of satisfaction with the CJF process, there was a slight indication of perceived undue pressure to attend the CJF on the part of victims. Responses also suggested that before coming to the CJF, not all participants had a completely clear and thorough understanding of what it involved. However, in spite of their imperfect understanding of the process, the majority of participants had participated in CJFs voluntarily (100% of offenders and victims' supporters, over 95% of victims' and offenders' supporters).

Results for *satisfaction with agreement/outcome* were also consistently high: 91% of all participants felt that the *agreement/outcome* was 'quite' or 'very' fair and most participants acknowledged that they were given a chance to provide input into the agreement with no pressure from anyone. Ninety-seven percent of victims rated the fairness of the *agreement/outcome* as 'quite' or 'very' fair while 77% of offenders rated it either 'quite' or 'very' fair. These results are significant, particularly in relation to victims who often report feeling frustrated with both the *process* and the *outcome* of the traditional court system. Another measure of participants' satisfaction with their CJF experience was demonstrated in their reported choice between the CJF and the court, if they had to do it all over again. The majority of them - 87% of the offenders, 93% of the victims, 95% of offenders' supporters and 93% of victims' supporters would choose CJFs over the court.

Results showed that 98% of all offenders indicated that the CJF helped in their understanding of the consequences of their actions and their willingness to take responsibility for the same. About 97% of their supporters and everyone in the categories of victims and their supporters (100%) indicated that they felt the offenders understood and took responsibility for the consequences of

their offenses at least to some extent. The total percentage of interviewees who stated that the offenders had actually complied with the CJF agreement was 84.8%, with other cases still on-going. Both offenders and their supporters expected that there would be quite a bit (or higher) of support for the offenders from their family and friends in complying with the agreement. Over 90% of victims who answered the questionnaire indicated that they would be 'quite' or 'very' willing to give the offender a second chance. In fact, some of the victims indicated that they came to the CJF because they wanted the offenders to have a second chance. Victims' supporters and offenders' supporters were also willing to give the offenders a second chance (ranging from 'moderate' to 'very much'). Following their participation in CJFs, 97% of questionnaire respondents reported 'somewhat' or higher regained sense of control over what happens in their community. The majority of respondents in each category reported that the CJF process gave them back 'quite a bit' of control. In this study, 88% of victims interviewed reported that the CJFs helped 'quite a bit' or 'very much' with their psychological healing. An additional 12% reported that it helped 'moderately'. The mean response to the question 'Was justice done?' was high for the total group of participants. Also, both victims' supporters and offenders' supporters indicated that in their view, harmony was restored. The data indicated that the CJFs took place within 1 to 20 weeks (average 5.4 weeks) after the offending incident occurred. The facilitators' observations corroborated this fact. Responses to the question about the likelihood of the offenders re-offending showed that offenders themselves and their supporters believed that they were unlikely to offend again, although victims' supporters were a little less convinced.

Facilitators' Views on CJFs. In-depth, face-to-face interviews were conducted with thirty facilitators in various parts of Canada, to discuss a wide range of issues such as the type of communities they worked in (mixed socio-economic levels, urban and rural, multi-ethnic), these communities' receptivity to CJFs (informed communities were receptive), the types of cases where CJFs should be applied (mostly non-violent crimes), perceived willingness of participants to attend CJFs (mostly willing) and factors likely to be associated with agreement-compliance (parental support). These interview data complement the findings presented in the first report. In addition, sixty-nine CJF facilitators, mostly police officers, filled out questionnaires immediately following the completion of CJF sessions they had facilitated, to provide us with

their perceptions on specific issues.

The questionnaire data showed: The number of participants present at the CJFs ranged from 3 to 23, with the mode or the most frequent numbers being 5 and 7. Overall satisfaction of these facilitators with CJFs was rated 4 or 'quite a bit'. They believed that in general, participants showed open-mindedness about solving the problem, that the agreements were quite fair and that the likelihood that they would be honoured was high. They felt that there was some undue pressure on participants, the cases were considered quite appropriate for CJFs and the damages from wrong actions were likely to be repaired. The offenders and their supporters both seemed to have realized the impact of the wrong actions on others, and finally, CJFs seemed to have answered victims' questions and brought about a sense of closure. As can be seen, the immediate feedback of the facilitators was really positive in almost all respects, and mirrored the data obtained from CJF participants themselves.

Results of the present study provided strong support for the claim of the advocates of restorative justice philosophy. However, this was not a controlled experiment, the sample was not random or sufficiently large, and data collection was not as systematic as desired. Yet, the internal consistency of the results, and the similarity of the present findings with the available research literature including studies that involved controlled experiments seem to lend validity to the findings. It is also evident from the results that the restorative justice initiative, initially considered as an extension of the Aboriginal Justice Strategy, has expanded far beyond the Aboriginal communities into the mainstream, and communities who are informed of this approach are usually receptive to it.

Recommendations and Future Implications.

- Training Standard for Facilitators: Without some minimal standard of training, we risk causing harm to communities instead of restoring harmony through joint problem-solving in a caring, respectful environment. We also risk losing credibility for this relatively recent restorative approach itself.
- Prior Briefing of CJF Participants: It is of utmost importance that all potential CJF participants are fully informed of how CJFs work and what to expect at the forum. This

step should also help alleviate the undue pressure perceived and reported by some participants.

- Possibility of power imbalance at CJFs: The facilitator has to get together a genuine 'community of care' to participate at the forum, and to ensure that all participants have equal input into the process and outcome. The facilitator also has to ensure that the focus of the forum remains on solving problems or undoing the harm and *not* on assigning blame.
- Monitoring/Follow-up for agreement-compliance: In order to enhance the credibility of the CJF process, the facilitator must ensure proper follow-ups of agreement-compliance by offender(s).
- Applicability of CJFs: So far in Canada, most of the cases dealt with through CJFs have been conducted at the pre-charge stage (RCMP policy), and have involved property-crimes (e.g., B & E, theft, vandalism) or minor offenses such as bullying, drug possession and assault. Most interview participants, including facilitators were reluctant to recommend CJFs for cases that involve violent or serious crimes, many refused to consider this option for repeat offenders, and some, for adult offenders. But can CJFs be used for a wider variety of cases? Not just as a pre-charge mechanism, but as a restorative tool to be used at various stages of the judicial process, such as at the post-sentencing stage or pre-release stage? Given the limited but consistent empirical evidence regarding the satisfaction of all participants including victims, these questions merit serious consideration.
- Police Role: By the very nature of their duties as 'gatekeepers', the police most often have the first and direct contact with the victim and the offender. From the maximum resource utilization and immediate impact points of view it would be efficient for the police to resolve problems through CJFs. This type of proactive role of the police should also help the cause of community policing by enhancing the image of the police in the community which views the police only as a law-enforcer. CJFs constitute a powerful tool for community policing.
- Referrals. In this context of police role, clear but flexible policies and guidelines need to be established regarding referrals for CJFs. Policies should ensure that use of discretion is indeed unbiased to all. Practical policies and guidelines are also necessary to deal with

cases where offenders are found not to comply with the CJF agreements without justification.

- Increased Education and Awareness: Continued efforts to increase education and awareness of police and the communities are essential for the success of this initiative.
- Documentation necessary for longitudinal analysis. Finally, this new approach can flourish only through careful longitudinal research demonstrating its usefulness, its limitations and an ongoing effort to improve the process. The preliminary findings gleaned from the present research project are undoubtedly encouraging, but systematic documentation (not necessarily extensive paper work) is absolutely essential for restorative justice to find a meaningful place in the Canadian justice system.

Introduction

This is the second report on the evaluation of the Restorative Justice initiative of the Royal Canadian Mounted Police (RCMP). Three training workshops were held by the RCMP in January, 1997 as the first formal step in implementing the philosophy and principles of restorative justice, and more specifically, in introducing one of its tools, - Family Group Conferencing or Community Justice Forum (CJF). The first report presented findings from mail-in and telephone surveys conducted across the country to collect information from individuals trained to be trainers and CJF facilitators. The second report will examine the effectiveness of this initiative in the context of theoretical claims proposed by its advocates, primarily from the CJF participants' perspective, and secondarily, from the facilitators' viewpoint on the basis of their direct experience with CJFs.

The Concept: The concept of '**Restorative Justice**' has captured wide-spread attention in recent years among legal practitioners, social workers, the police, and the scholars of social events and trends. The term 'restorative' automatically implies that something needs to be restored. What is it? Various theoreticians have suggested various answers to this question. We will discuss only a few major ones here. Braithwaite (1996) focused on the more victim-centred approach of 'Restorative Justice' as opposed to the conventional court-based, offender-centred criminal justice system, by pointing out that it restores victims, as well as offenders and communities. Restoring victims, in this theoretical formulation means *restoring/repairing their property, injury, sense of security, dignity, sense of empowerment, deliberative democracy, harmony based on a feeling that justice has been done and social support* - anything that might have been lost or caused or reduced by a 'wrong action'. Braithwaite believes that offenders need restoration of dignity too, through *'reintegrative shaming'* and through *taking responsibility for the wrong action and its consequences* in a supportive context. Similarly, communities that suffer harm as a consequence of a crime, - from an injury to relationships, or from the loss of a *sense of*

security, of *harmony* and *empowerment*, need to be restored.

Zehr (1990) viewed the primary goal of 'restorative justice' as restoration of relationships - because, according to his interpretation, crime is " a violation of people and relationships. It creates obligations to *make things right*. Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation and reassurance."(p.181). Marshall (1996) defined restorative justice as: "a process whereby all parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future."(p.37).

As can be seen from the above, the concept of **restorative justice** includes and implies:

- offender taking responsibility for 'wrong action' and its consequences
- offender given an opportunity to be reintegrated into the community
- restoring victims' property
- repairing injury caused by the 'wrong action'
- restoring victims' and the community's sense of security (reassurance),
- restoring victims' dignity
- restoring victims' and the community's sense of empowerment
- deliberative democracy ("all parties with a stake....resolve collectively")
- restoring harmony (or reconciliation) in the community based on a feeling that justice has been done
- 'making things right' for the victims and for everyone else affected by the wrong, and
- social support for the victims as well as for the offenders.

A Brief History of the Re-emergence of Restorative Justice: Braithwaite (1998) reminds us that "All cultures have restorative justice traditions .....particularly in their families, schools and churches, just as they all have retributive traditions."(p.8). The re-emergence of the restorative justice philosophy in recent times, however, has been traced by Van Ness and Strong (1997) to a number of movements, such as, 'Informal Justice'- represented by Jerold Auerbach (1983) and Nils Christie (1981) as a recognition of the need for informal alternatives to the court, 'Restitution' - a realization that restitution of the victim may have some beneficial effects on

both the victim and the offender, 'The Victims' Movement'- which grew out of a deep dissatisfaction with the conventional justice system which ignored the needs of the victims, and for the most part, excluded them from any meaningful participation, 'Reconciliation/Conferencing' - associated with the work of Mark Umbreit (1990a, 1994), Ron Claassen and Howard Zehr (1989) among others, and 'Social Justice'- whose proponents come from various religious communities and feminist movements. The recent theories of 'Restorative Justice' incorporates elements from all of these positions [see Van Ness and Strong, 1997 for a full account].

This relatively recent approach (Restorative Justice) for dealing with crime is increasingly being recognized worldwide as another serious option instead of the traditional practice focused on 'proving guilt and measuring out the punishment', and has already made its mark in New Zealand, Australia, the United Kingdom, the United States and Canada. Some scholars (e.g., Van Ness and Strong, 1997) suggest that a significant shift may be underway in criminal justice, spurred by persistent questions such as:

> Why is the success of the current criminal justice system so limited in its efforts to control crime?
> Why do correctional institutions often end up making offenders choose the path of crime, rather than truly correcting their criminal behaviour and rehabilitating them?
> Why are victims so often frustrated and disappointed with the criminal justice system?

Van Ness and Strong (1997) explain that historically, the ancient pattern of justice was compensatory, seeking the restoration of the victim to the pre-crime state. With increasing dominance of royal authority over secular matters in Europe, this pattern was replaced by a retributive model, characterized by fines (paid to the king), corporal punishment and the death sentence as the most common response to wrong-doing. However, according to John Braithwaite (1989),

> "Public exhibitions of state acts of brutality against other human beings perhaps did as much to legitimate brutality as it did to delegitimate crime..... More critically to the present analysis, most of the shaming was stigmatizing rather than reintegrative....."

(p.59).

The inherent brutality of the punitive system caused reformers to seek a rehabilitative model - that introduced into our legal parlance the term "penitentiary", meaning a quiet place where offenders could contemplate their wrong-doing and redeem themselves through repentance. Later, frustration with the rehabilitative model again resulted in a call for the imposition of a tougher approach, emphasizing increasingly repressive and punitive measures. However, Van Ness and Strong, strong advocates of *restorative justice*, observe that

> "Changing the goal of the criminal justice system from rehabilitation to retribution and incapacitation has not solved the crisis in criminal justice." (p.13, 1997).

In the current, conventional judicial system, the victim(s) and the offender(s) play a rather passive role, while the lawyer representing each side tries to *win* the case based on legally admissible evidence, often as the other side *loses*. The focus is on proving with the use of complex, technical arguments whether the accused is legally responsible for the offence, and if so, determining what punishment he/she deserves. The offence is seen to be against the state/country, which assigns blame and punishes the offender who 'pays' the government (the generalized, symbolic victim) for committing the crime. The approach is offender-centred, and monopolized by legal professionals.

By contrast, the concept of "*restorative justice*", in spite of the wide diversity in its actual implementation methods, can generally be described as a way of dealing with the harm caused by an offence by involving the victim(s), the offender(s), and the community that has been affected. The outcomes that are sought include restoring harmony in the community by repairing, as much as possible, both material and psychological damages to the victim(s), and re-integration of the offender (thereby preventing recidivism) by the use of shame and remorse for committing a wrong action. The approach is harm-centred. The offender is expected to 'pay' by taking active responsibility for causing the harm and by being accountable to the victim and the community for repairing or minimizing the injuries. The process helps the offender to experience shame for committing the harmful action - but in a reintegrative way, in a supporting

context. The proponents of *restorative justice* believe this approach to be more fair, satisfying, efficient and effective than the traditional, court-based, adversarial approach to justice. In their opinion, the conventional system discourages the offender to take responsibility for his/her action, does not meet the emotional needs of the victim(s), and in most cases, ends up relying on incarceration as the only possible way to ensure a safe community (Zehr, 1995; The Church Council on Justice and Corrections, 1996; Van Ness and Strong, 1997). The conventional system also does not provide the families or significant people in the victim's or the offender's lives an opportunity to participate in any meaningful way in the justice process or outcome.

Theoretical Underpinnings of Restorative Justice: Some scholars note that a concept of restorative justice makes a number of assumptions such as the following: crime is committed not just against the state/government, but against people and relationships; that the conventional court-based justice system is 'retributive', monopolized by professionals and does not adequately meet the needs of the society, and that in order for justice to be served, the people who truly 'own' the crime and its consequences should be collectively involved in its resolution (e.g., Van Ness and Strong, 1997).

Affect theory (Nathanson, 1992), based on Silver Tomkins' work (1962), postulated that 'shame' is a negative emotion innate to all human beings. Braithwaite (1989) in his quest for an answer to the question 'Why most people obey the law?' articulated the difference between 'stigmatizing shame', typically experienced by an offender during a court trial, and 'reintegrative shame' that occurs when a wrong-doer has to take responsibility for a wrong action and its consequences in a supportive, respectful atmosphere - in the context of a 'community of care'. According to Braithwaite, most people obey the law "not primarily because they fear formal penalties but for reasons of greater personal significance. First, they obey the law because ..... [b]reaking a just law would violate their idea of themselves as positive moral agents. Second, most people obey the law because they fear disgrace in the eyes of the people who matter to them." (Moore and Forsythe, 1995, p.255). This idea is fundamental to understanding the claims of the restorative justice theories- that the retributive, punishment-centred approach only increases anger, bitterness and defiance of the offender while it hardly considers the

psychological needs of the victims. At the core of the restorative approach, on the other hand, is the offenders understanding the impact of their offence, and redeeming themselves by offering a genuine apology to their victims and by a promise of sincere efforts to minimize the harm caused, because they are really *ashamed* of their actions - in the presence of those people who matter to them most. In addition, direct participation of the victims in the process is likely to help them regain a sense of control, dignity, empowerment and security which they had lost as a result of victimization. The 'community of care', i.e., the family and friends of the offender and the victim, is also empowered by virtue of their active involvement in solving their shared problem.

It is the nature and role of the 'community of care' that sets apart different types of restorative justice tools: sentence circling where *all* geographical community members are invited, victim-offender mediation which includes only the victim, the offender and a mediator, and family group conferences (FGC) where *only* those affected by an offence,- the victim, the offender, their supporters and a neutral facilitator work together to resolve the problem. Family Group Conferences got a new impetus in New Zealand and Australia from Maori traditions, and was implemented by state officials and other advocates of restorative justice as an alternative to conventional justice.

RCMP and the Restorative Justice Initiative: In early 1996, a Canadian delegation led by the Department of Justice that included the Director of Community, Contract and Aboriginal Policing Services (CCAPS) of the RCMP, visited Australia and New Zealand to learn first hand about Family Group Conferencing. Discussions with key people in other RCMP Directorates, Federal and Provincial Departments (Departments of Justice, Indian Affairs and Northern Development), leaders of Indian Nations, and international contacts took place over a period of one year. These meetings culminated in the RCMP's invitation to trainers from Transformational Justice Australia (TJA) to provide training sessions held in Regina in January, 1997. A large number of participants that included both RCMP officers and *community members* were trained to train others in conducting Family Group Conferences. Around the same time, two joint school/police pilot training sessions were also held in Surrey, British

Columbia and Edmonton, Alberta.

In addition to training RCMP members, the RCMP made a decision to train community members and school authorities as well to conduct CJFs, specifically as a way of empowering communities - a major goal of community policing. In total, approximately 50 individuals were trained to be trainers, and a few additional participants attended the workshops to become knowledgeable about and advance this process, or to develop policies.

This new (yet ancient) way of handling offending behaviours was seen by all key players in Canada (e.g., the Director of RCMP Community, Contract and Aboriginal Services Directorate and Judge David Arnot) as a natural extension of the Aboriginal Justice Initiative launched by the Federal Department of Justice in 1991. The Aboriginal Justice Strategy runs from April, 1996 to April 2001, and its mandate is, in consultation with Aboriginal communities, to find ways for Aboriginal peoples to be able to administer justice in their communities. Although the introduction of restorative justice process in the Canadian justice system is a relatively recent phenomenon, Aboriginal traditions for such processes in Canada (and in other countries such as Australia and New Zealand) date back thousands of years, and stem from the beliefs that there is a need to balance physical (behavioural), intellectual, emotional and spiritual aspects of our existence in order to restore the essentially moral nature of the human spirit.

The RCMP has adopted the philosophy of *restorative justice*, and has taken the initiative to implement this approach under the term "Community Justice Forum" (CJF), a term of choice for its emphasis on community involvement, instead of the term "Family Group Conferencing" (FGC). The initiative has expanded to a large number of detachments across the country through three "Train the Trainers" workshops, mentioned above. Currently, CJFs are being successfully used for youths and adults in conflict with the law in many RCMP jurisdictions including Prince Edward Island, Nova Scotia, the North West Territories, Portage La Prairie in Manitoba, and Fort St. John and Sparwood in British Columbia.

It is important to note that the *restorative justice* approach is entirely consistent with the

philosophy and principles of community policing which the RCMP adopted in 1989 as its model of service delivery. The essence of community policing is a more inclusive, collaborative, responsive and pro-active way of making Canadian communities safer. Community policing strives to prevent crime and address public concerns through establishing a partnership between the police and the communities, thereby empowering the latter to identify problems and to solve them, with police officers facilitating the process and offering assistance as required.

Restorative justice, similarly, seeks to prevent re-occurrence of crimes by initiating an effective dialogue with and among the key people, and by healing the offender, the victim and their community. It empowers the community to deal with an offence (a problem affecting it), and allows it to take the responsibility for undoing/repairing the harm (an effective solution reached jointly by everyone directly involved), with the assistance of trained facilitators. It is one of the tools with which community policing can be best practised. This view differs from the earlier re-active model of policing that primarily focused on crime control and arrests of those who broke the law of the country. In the words of a RCMP officer, "[Restorative Justice] is part of an ongoing commitment to community based policing. The community justice forum is a tangible symbol of this commitment, they know and can see that we are trying. It is spreading the word, it is an example of us listening to the community."(p. 42, Craddock, 1998).

Implementing *restorative justice* through CJFs certainly entails a changing role of the police vis-a-vis the communities, including the victims and the offenders. It involves a departure from the role of the police officer being responsible for the short-term goal of "arrest" of offenders and charging them at courts, to a long-term goal of making communities safer and more functional; a departure from the use of authoritarian power of enforcing the law, to a discretionary power of an attempt to heal the victim, the offender and the community; a departure from the role of a distant representative of the state, to a closer partner of the members of the community in problem-solving; and a departure too, from the focus on punishing the law-breaker, to meeting the needs of the direct victims (not the symbolic victim, i.e., the State). In this context, it should be noted that the RCMP, through the work of its "Crime Prevention and Victim Services Branch", and the active involvement of civilian members in its "victim support services", had

already been sensitive to the needs of victims - often not sufficiently met in the conventional criminal system.

National "Train the Trainers" Component: As mentioned above, the first step for officially implementing the Restorative Justice approach within the RCMP jurisdiction was a one-week long "train the trainers" workshop held in Regina in January, 1997, and two additional school/community training sessions held in Edmonton and Vancouver around the same time. Two recognized Australian experts in Family Group Conferencing (FGC) or Transformational Justice Australia were invited by the RCMP to provide these training sessions which were attended by a group of approximately 50 RCMP members and community representatives. The primary objective of the workshops was to train the participants to train others in conducting FGCs or, to use the RCMP terminology, CJFs (see page 30 for a description of the CJF process).

A Summary of Findings from the First Report:

- Seventeen hundred individuals across Canada were trained to conduct CJF sessions (up to October, 1998).
- Sixty-seven workshops were held at 48 geographical locations across Canada.
- RCMP collaborated with at least 29 organizations and numerous communities.
- Most respondents (93%) believed that the CJF would be highly effective in improving the Canadian Justice System.
- Most respondents (73%) believed in their own competence as trainers (quite a bit or very much), and 25% rated it as moderate .
- Most respondents also felt that they had the supervisory or organizational support behind them (18% rated it as moderate and 71% as high).
- A total of 30 different types of offences or combination of offences were reported by the 67 facilitators who had actually conducted CJFs. CJFs were most frequently reported for theft (26%) and assault (21%). The next few major categories of offences dealt with at CJFs were Public Mischief (7%), Drugs (6%), Property damage and Break & Enter (5%), Sexual Abuse (4%) and Harassment or bullying (4%). There were some cases where more than one offence, for example, both Break and Enter and Theft, Theft and

Fraud, or Break and Enter, Property Damage and Public Mischief were committed. CJFs were also used for offenders who committed fraud (2%), arson (2%), assault with a weapon (2%), loitering (.4%), trespassing, impaired driving, obscene phone calls, breach of probation (.4%) and illegal possession of alcohol. Other offences such as threats and intimidation, verbal abuse, dangerous operation of a vessel and "bumper skinning" were also resolved using the CJF process.

- The majority of those facilitators (79%) who had conducted CJFs indicated that the offenders were 19 years-old and under. The most frequently reported age range for offenders participating in CJFs appeared to be 14 to 16 years of age (38%), and another 15% were between 17 and 19 years-old. There were 6 cases (2%) where the offender was over 50 years of age and 18 cases (7%) where the offenders were 11 years of age and under. However, it is to be noted that the reported data for the age categories, in several instances overlapped. The reason for this is that many facilitators had to guess the age of the offenders, since they had not recorded the exact age.

Recent Training Activities:

In October, 1998, two one-day sessions were held at the Royal Canadian Mounted Police Academy (Depot) in Regina to provide information on 'restorative justice' and specifically, on CJFs to the instructors responsible for training RCMP cadets. The Director of Community, Contract and Aboriginal Policing Services (CCAPS), the members of CCAPS Research and Evaluation Branch, OIC Training Research, the District Commander of Southern Alberta, two trainer/facilitators and a Crown Prosecutor presented relevant information, data and views based on their own experience and expertise to about 78 instructors. The rationale for holding these information sessions was to keep instructors fully knowledgeable about this new philosophy of policing adopted by the RCMP, so that in their turn, they can impart this knowledge to the would-be RCMP officers and encourage them to apply this approach in community problem-solving. Restorative Justice philosophy and principles have been formally incorporated in the cadets' training curriculum as one of the tools for practising community policing. Since October 1998, 64 Depot instructors and 4 community members have been trained as new CJF facilitators

at Depot by local trainers.

The Evaluation Project

The current country-wide evaluation project was undertaken in December, 1997, with a review of basic information regarding the initiative, its implementation, theoretical background and relevant literature survey. It should be noted that from the start, the RCMP restorative justice initiative evolved unlike any conventional project,- at the grassroots level, and all efforts on behalf of the RCMP for advancing the concept of restorative justice and its application through CJFs were consciously and intentionally shared with as many communities and organizations as possible. Thus, there were no concrete, measurable, clearly articulated objectives formally drawn-up or documented. Consequently, the current evaluation project does not endeavour to compare results of the initiative against any numerical, measurable project objectives. There were, however, global objectives or a vision based upon the theoretical underpinnings: greater empowerment of communities to deal with crime leading to reduced fear of crime, and greater satisfaction of all CJF participants with the justice system. Similar to the stated aim of Thames Valley Police (U.K.), the aim of the RCMP was, "Working with our communities, to reduce crime, disorder and fear, as the leading caring and professional police service" (p.125, Pollard, 1997) of Canada. The current evaluation project will focus upon these outcomes, in the context of a broader goal of client satisfaction with improved service delivery provided through this initiative. Undoubtedly, collecting data from the clients (CJF participants) themselves is vital in fulfilling this goal- without an effective feedback loop in place, enhancement of any new initiative is impossible.

A proposal for evaluation research was prepared and submitted in January, 1998. Following its approval by the Director of CCAPS, a set of survey questionnaires for collecting information from trainers, CJF facilitators, and CJF participants was developed and later finalized with input from a group of knowledgeable employees within the Directorate.

There were two major parts of the evaluation: Part I. Evaluation of the "Train the Trainers" component, which included (a) effectiveness of the three initial training workshops in training RCMP and community members (first level trainees) to be competent trainers, and (b) effectiveness of these members (trainee-trainers) to train others in conducting CJFs and Part II. Evaluation of the effectiveness of CJFs through perceptions of CJF participants and facilitators, based on their actual experience. The first report provided information on the first major part of the evaluation: the training component, and the present report provides information regarding the second part, dealing with how effective the CJFs have been according to those who had direct experience with them.

Data Collection[1]

The RCMP is Canada's national police force. Its members provide a variety of policing services under contracts across the country, to eight Canadian provinces (all except Ontario and Quebec) and two territories. In this geographically dispersed, complex organization consisting of numerous detachments in five regions, implementing a centralized data collection strategy has proved to be difficult. To complicate this scenario, from the very start of this initiative, as already mentioned, the RCMP has tried to act in close partnership with Canadian communities, - training and depending on provincial, regional and municipal police forces as well as on community volunteers. In the true spirit of community policing, it has primarily aimed at improved client service and client satisfaction by being a catalyst in bringing about a welcome change, rather than maintaining control. Under these circumstances, and especially without a central authority for assigning cases to CJFs or to courts, conducting a controlled national experiment was virtually impossible. Documentation has not always been considered an essential part of these activities, and in some cases, even seen as a bureaucratic hindrance by some. The lack of full appreciation on behalf of some members of the RCMP and members of the communities about the importance of systematic data collection and documentation (as opposed to "solving" cases "informally" through CJFs) has also made data collection a difficult challenge. An additional point to keep in mind is that although Canadian criminal laws are

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[1]Data collection was mostly done by members of CCAPS Research and Evaluation Branch. Assistance of Cpl. Doug Reti in collecting data in Yukon Territory is most gratefully acknowledged.

enacted federally, provincial/territorial governments are responsible for their implementation. As a result, the implementation of RCMP's 'restorative justice' initiative has taken a variety of forms and different periods of time from one province or territory to another.

A further difficulty in our data collection efforts arose from the fact that in some cases, local trainers, facilitators or provincial or regional authorities were interested in conducting their *own* local (personal, detachment, municipal or provincial) evaluation, instead of collecting data for an evaluation project conducted on a national scale. It was, of course, next to impossible for this national project to meet those local demands, first of all because the respondents were assured of anonymity - so in most cases [e.g., mail-in questionnaires], we had no way of identifying who attended which CJF, and secondly, even when we could identify the respondents [e.g., in interviews], small numbers of respondents from any given location made it difficult to draw any meaningful conclusions. Nevertheless, this desire for local evaluations created some confusion as well as another source of competition for the CJF participants' time and attention.

In March, 1998, a complete set of questionnaires was mailed out for collecting data from a number of individuals (trainers/facilitators) who were known to have been involved in extensive CJF-related activities. Multiple-choice questionnaires utilizing Likert-type scales (1 = very little, 2 = somewhat, 3 = medium, 4 = quite a bit and 5 = very much) were used for collecting all quantitative information. These questionnaires were developed by experienced researchers on the basis of a review of relevant theoretical work and research literature, with input from a number of RCMP officers trained as CJF facilitators, and two CJF trainers/facilitators who, for the last three to four years have been training large numbers of individuals across the country to conduct CJFs. These two trainers (one of them is an Aboriginal RCMP officer) have also conducted numerous CJFs themselves. Length and the language of the questionnaires were carefully considered and balanced with the need for sufficient information for a proper and comprehensive evaluation of the initiative.

The research proposal had proposed that these multiple-choice questionnaires would be distributed to key trainers/facilitators for collecting data from a large, representative (to the

extent possible) sample of CJF participants, and then focus-group sessions or individual interviews would be conducted in various parts of the country to collect in-depth information. Thus, we expected that this multi-method strategy would allow us to meet the needs for both quantitative and qualitative data for the project. Unfortunately, this plan did not quite materialize - as not all facilitators were ready to take responsibility for administering the questionnaires to CJF participants. Various reasons for this were given, ranging from 'the questionnaires were too long', to 'the inappropriateness of administering them at the end of the forum' (for example, see report on the implementation of CJF in "H" division of the RCMP and footnote 2). Suggestions for alternative ways of collecting the much-needed data were requested with little response.

As discussed above, collecting data through a consistent application of questionnaires to all participants by CJF facilitators was attempted at first, but when that method did not produce a sufficient amount of data (extremely low return rates), a wide range of alternative ways were explored. First of all, questionnaires were made shorter; efforts were made to collect data by telephone surveys (using structured interview questionnaires) and based on another suggestion, stamped and self-addressed envelopes (addressed to Research and Evaluation Branch) were sent out to CJF facilitators for distribution to the CJF participants along with questionnaires. Again, this method did not meet with much success. A small number of filled questionnaires trickled down from time to time, but never at the expected rate and number. Consequently, completion of the project was delayed by a few months, until a reasonable amount of data could be collected for drawing any meaningful conclusions. Finally, as already planned and outlined in the research proposal, face-to-face in-depth interviews were also conducted in various locations[2]

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[2] We tried to interview CJF participants from both urban and rural areas, in as many diverse communities as possible. Interviews were conducted in Antigonish, New Minas and Windsor in Nova Scotia, Charlottetown and Monteque in PEI, Winnipeg, Portage La Prairie and St. Pierre-Jolys in Manitoba, Regina and North Battleford in Saskatchewan, Strathmore (at a school for troubled youths), Lethbridge and Grimshaw in Alberta, Dawson Creek and Fort St. John in British Columbia, Watson Lake and Whitehorse in Yukon Territory. Local RCMP members and community members involved in CJF activities contacted the participants, and organized the interviews. There was strong objection from the "H" Division restorative justice coordinator to the HQ researchers contacting CJF participants for interviews after they had achieved a 'closure', but a few facilitators' enthusiastic support made the

across the country in all contract provinces (except Newfoundland, where the initiative has yet to be implemented) and the Yukon Territory. Each offender was interviewed individually. Most victims were also interviewed individually, but in cases where victims were related (e.g, a couple) or co-workers, and if victims' supporters or offenders' supporters who came together were involved with the same case, they were given an option of being interviewed separately or together. Even in joint sessions, each respondent was encouraged to provide their own opinions, irrespective of what the other interviewees said. **In all cases, data were collected only from those participants who agreed to fill out the questionnaires, or were willing to be interviewed** - strictly on a voluntary basis[3]. Thus, self-selection bias remains a serious possibility.

Various methods of data collection were utilized in order to collect information regarding the following basic variables hypothesized to be associated with *restorative justice* (not compared to those associated with conventional 'retributive' justice, because the data collection methodology did not allow such a comparison) :

1. CJF participants' overall satisfaction
2. CJF participants' satisfaction with the process
3. CJF participants' satisfaction with the outcome/agreement

On the basis of available theoretical and research literature, additional information was collected regarding issues such as participants' *perceived control (empowerment)* over what happened in the community, victims' *willingness to give the offender a second chance* (closure or reconciliation), victims' *fear of revictimization and psychological healing* (sense of security and

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interviews possible in the end.

[3] Since all our data (mail-in questionnaire and interview) were collected from volunteer respondents, we believe these respondents wished to either express their satisfaction with this experience and share the new opportunity with others , or to express their dissatisfaction with their experience and recommend its discontinuity. In either case, the questionnaires or interviews did not seem to be intrusive or interfere with their sense of 'closure'. The fact that a large majority of the interviewees agreed to be interviewed for a follow-up if necessary (see Table 1 on the following page), also lends support to our conjecture.

reassurance), the extent to which offenders seemed to have *understood the impact of their actions* (offenders taking responsibility for their wrong actions), the extent to which offenders' *supporters were willing to provide support to the offenders* (social support) in complying with agreements aimed to repair the harm, and the perceived *appropriateness of the case* to be handled through a CJF. During interviews, participants were also asked if they had experienced any *undue pressure* to participate in the CJF, the *reasons why they chose to attend* the CJF, *the length of time between the incident (offence) and the CJF* (efficiency), what justice meant to them, *to what extent they felt that justice was done*, and if they had to do it over again what would they choose: *the court or the CJF*. Participants' views were also solicited on such questions as, *for which age groups, for what types of crimes and how many times for any given offender the CJF should be used*. Similar information was collected from CJF facilitators as well, by using questionnaires and face-to-face in-depth interviews.

Most respondents seemed to enjoy the interviews, and to provide honest, thoughtful and candid responses (they were assured of anonymity and confidentiality) to all questions.

- Interviewees' Willingness to Participate in a Follow-up

At the end of their interviews, 144 interviewees were asked if they would be willing to participate in a follow-up telephone interview a few months later, and most of them agreed to participate, and provided their names and telephone numbers voluntarily (Table 1).

Table 1. Percentage of interviewees willing to be re-contacted for follow-up.

	Offenders	Offenders' Supporters	Victims	Victims' Supporters	TOTAL
YES	33 (81%)	40 (89%)	37 (86%)	13 (87%)	123 (85%)
NO	3 (7%)	1 (2%)	1 (2%)	0	5 (4%)
MISSING	5 (12.%)	4 (9%)	5 (12%)	2 (13%)	16 (11%)
TOTAL N	41	45	43	15	144

Findings[4]

Section One: CJF Participants' Perceptions

A. Mailed-in Questionnaire and Interview Data: Combined

- Satisfaction with CJF, Fairness of Process, Fairness of Outcome/Agreement

[4]Brenda Smith, the research assistant for this project, has been responsible for all data entry and analysis. We have used percentages, mean and standard deviation (sd) to report most of our findings. While most readers are familiar with the ideas of percentage and mean (also known as average), the concept of sd may not be as familiar to all. The sd is a measure of how far apart, on average, the responses or ratings are to any given question: are they quite similar and close together, or, are some of them very low and some, high.

Table 2. Satisfaction with CJF Experience: All Respondents (n^5 = 239).

	Questionnaires			Interviews			**Combined**		
	mean	sd	n	mean	sd	n	**mean**	sd	**n**
Overall Satisfaction	4.4	0.7	72	4.4	0.7	134	**4.4**	0.7	**206**
Fairness of Process	4.6	0.6	71	4.7	0.5	134	**4.7**	0.6	**205**
Fairness of Agreement	4.6	0.6	71	4.5	0.7	134	**4.5**	0.7	**205**

These results demonstrate that all CJF respondents experienced a significant amount of overall satisfaction with their CJF experience, with the fairness of the process and with the fairness of the agreement. In all cases, the mean ratings are fairly high (between 4 and 5), and the sds are fairly small, indicating that there was little variability in the responses received.

- Satisfaction with CJFs, Process and Outcome for Victims, Offenders, and their respective Supporters

[5]Questionnaires were revised and made shorter after the initial period. Thus, not all questions were asked or responded to by all respondents - CJF participants and facilitators, - accounting for different n's and missing values reported across variables. After all statistics were finalized for this report, the n increased for each participant category (questionnaire), thereby increasing the total n by 13; however, because the new means/sds were within .1 or .2, no changes were made in the tables or figures.

Figure 1: Participant Satisfaction: All Data

Figure 2: Overall Satisfaction by Participant Category: All Data

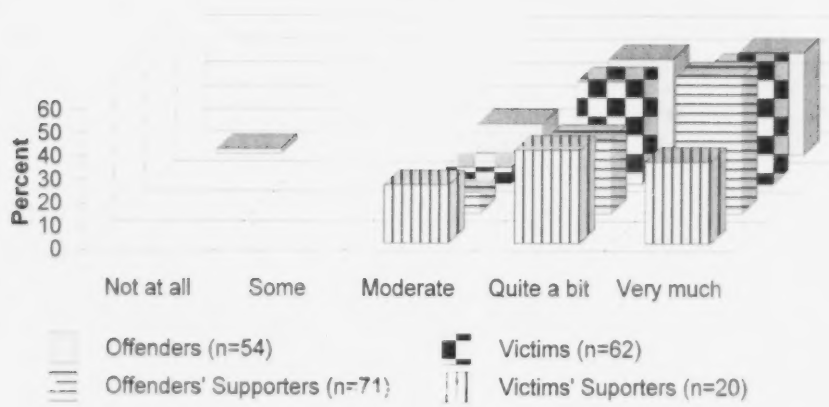


Table 3 and Figure 3 present the data regarding satisfaction with CJF process of the four categories of respondents: victims, offenders, victims' supporters and offenders' supporters, - broken down by findings from mail-in questionnaires and the interviews.

Figure 3: Procedural Fairness by Participant Category: All Data

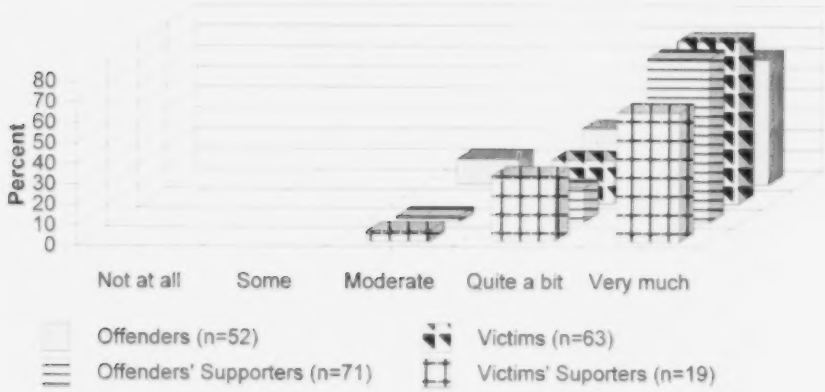


Table 3. Satisfaction with CJF Process for Four Categories of Participants.

	Mail-in Questionnaires			Interviews			Combined		
	mean	sd	n	mean	sd	n	mean	sd	n
Victims	4.7	0.4	19	4.8	0.4	44	4.8	0.4	63
Offenders	4.4	0.8	20	4.6	0.6	32	4.5	0.7	52
Victims' Supporters	4.3	0.8	7	4.8	0.5	12	4.6	0.6	19
Offenders' Supporters	4.8	0.4	25	4.8	0.5	46	4.8	0.5	71

The results show that participants in all four categories seemed to be quite satisfied with the CJF process (i.e., was the process open and transparent, was everyone treated with respect and understanding, and given an opportunity to express their views and emotions). It should be noted that the relatively small sample size in each category, especially in the victims' supporters

category, did not allow us to conduct any meaningful statistical comparison among them. However, the responses were consistently high and homogeneous across all participants.

- Previous Knowledge, Transparency, Respectful Treatment, Lack of Pressure, Opportunity for Expressing Opinions/Feelings and Appropriateness of Case for CJF

In the mail-in questionnaire, we had also asked the respondents the following detailed multiple-choice questions about *procedural fairness*:

- How much did you know about the process when you came to the CJF?
- Was it an open and transparent process?
- Were you treated with respect and understanding?
- Was there any undue pressure on you?
- Did you have a chance to express your opinions and feelings openly?
- Was the case appropriate to be dealt with at a CJF?
-

The responses to these questions are summarized in the following Table.

Table 4. Detailed Perceptions of Procedural Fairness for Four Categories of Participants.

	Victims n =19		Offenders n =21		Victims' Supporters n = 7		Offenders' Supporters n = 25	
	mean	sd	mean	sd	mean	sd	mean	sd
prior understanding	3.5	1.1	2.8	1.4	3.1	1.7	3.1	1.5
open/ transparent	4.7	0.5	4.2	0.8	4.9	0.4	4.8	0.4
respect/ understanding	4.8	0.4	4.7	0.5	4.4	0.5	4.8	0.4
undue pressure	2.6	2.4	1.7	1.2	2.3	1.5	1.6	1

	Victims n =19		Offenders n =21		Victims' Supporters n = 7		Offenders' Supporters n = 25	
	mean	sd	mean	sd	mean	sd	mean	sd
express opinions/ feelings	4.9	0.2	4.6	0.6	4.7	0.5	4.8	0.5
appropriateness of case for CJF	4.6	0.7	4.7	0.5	4.7	0.5	4.8	0.4

The very small number of respondents make generalizations risky, but the response trends seemed to be in the expected, positive direction predicted by theories: most respondents seemed to perceive that the CJF process was open and transparent, that they were treated with respect and understanding and that they had a chance to express their opinions and feelings openly. Most of them also considered that the cases were quite appropriate to be dealt with at CJFs. However, respondents' previous understanding of the CJF process seemed to be medium at best in most cases, and there was some perception of undue pressure on them.

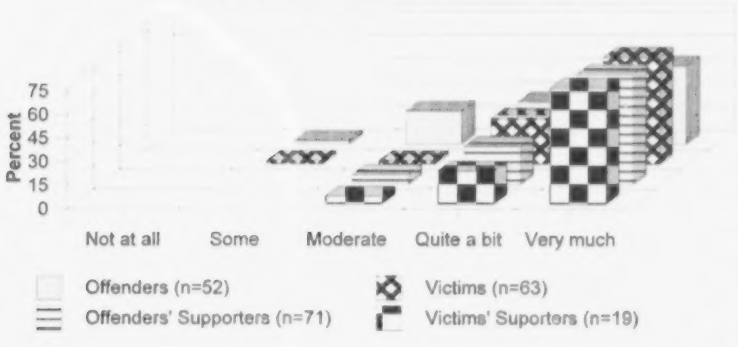
- Satisfaction with CJF Outcome/Agreement for Victims, Offenders, and their Supporters

The next Table provides the respondents' perceptions on their satisfaction with the CJF agreement or outcome.

Table 5. Satisfaction with Outcome/Agreement for Four Categories of Participants.

	Mail-in Questionnaires			Interviews			Combined		
	mean	sd	n	mean	sd	n	mean	sd	n
Victims	4.6	0.5	19	4.6	0.7	44	4.6	0.6	63
Offenders	4.3	0.9	20	4.2	0.8	32	4.3	0.9	52
Victims' Supporters	4.9	0.4	7	4.6	0.7	12	4.7	0.6	19
Offenders' Supporters	4.7	0.5	25	4.6	0.6	46	4.6	0.6	71

Figure 4: Agreement/Outcome Fairness by Participant Category: All Data



Again, we find that all respondents, regardless of their membership categories, expressed a fairly high level of satisfaction with the agreement reached (outcome of the CJF). The number of respondents in all categories, however, was not large enough for making inter-group comparisons.

- CJFs Help Restore a Sense of Control, CJFs Create Division/Hostility, CJFs Restore Harmony, CJFs Restore Sense of Safety/Security

The following additional questions were included in the mail-in questionnaires to find out about respondents' perceptions on other aspects of CJF outcome, hypothesized in restorative justice theories:

- To what extent attending the CJF gave you a sense of control over what happens in your community? [all respondents]
- To what extent would the CJF create division or hostility in the community?[supporters]
- To what extent would the CJF restore harmony in the community?[supporters]
- To what extent would the CJF restore a sense of safety/security in the community?[supporters]

Table 6. CJF Impact on the Community Environment.

	Victims n = 21		Offenders n = 20		Victims' Supporters n = 11		Offenders' Supporters n = 25	
	mean	sd	mean	sd	mean	sd	mean	sd
sense of control	3.8	0.8	3.7	0.9	4.1	0.7	4	0.8
division/hostility					1.7	1	1.3	0.6
restore harmony					4.5	1	4.4	0.8
restore sense of security/safety					3.8	0.9	4.3	0.8

Table 6 lends general support to the claims of restorative justice theories that the CJF provides its participants with some sense of control (close to '4' = 'quite a bit'). The respondents also felt that it may create very little to some (1.3 to 1.7) division or hostility in the community, that it tends to restore harmony (mean response between '4' and '5') and also restores a sense of security and safety in the community 'quite a bit' (mean response close to '4').

- Offenders Realized Impact of Wrong Action on Others by Attending CJFs

Table 7. Offenders Realized Impact of Wrong Action.

	Mail-in Questionnaires			Interviews			Combined		
	mean	sd	n	mean	sd	n	mean	sd	n
Victims	3.7	1.1	21						
Victims' Supporters	3.5	1.1	11						
Offenders	4.1	1.3	22	4.4	0.9	26	4.3	1.1	48
Offenders' Supporters	4	1	26	4.5	0.7	37	4.3	0.9	63

Figure 5: Offender Realized Impact and Consequences of Action(s): All Data

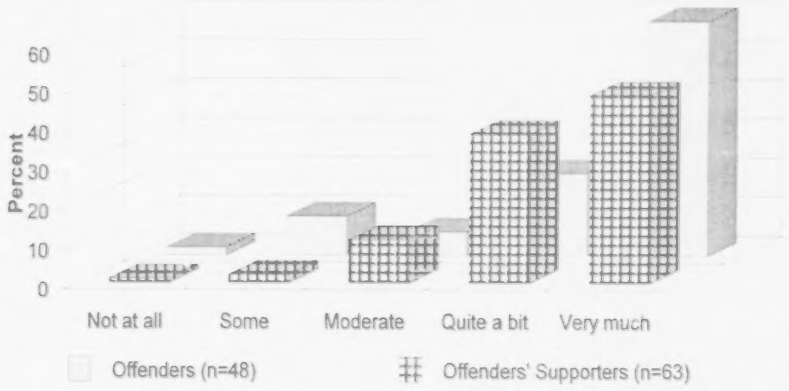


Figure 6: Offender Realized Impact and Consequences of Action(s): Questionnaire Data

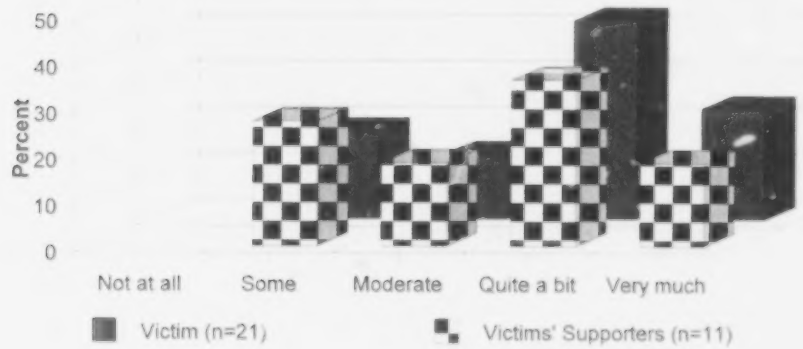


Table 7, Figures 5 and 6 summarize the data (respondents' perceptions) on the extent to which offenders realized the impact of their wrong action on others. Both offenders and their supporters indicated that attending the CJF seemed to help the offenders understand 'quite a bit' (a mean rating of '4.3' for combined groups) how their actions have affected others. The victims and their supporters were asked the same question in the questionnaires only, and their mean response seems slightly lower (no statistical comparison was made). Mean responses to a related question ("Do you think the offender felt genuine remorse for causing harm and hurt to the victims?") were 3.5 (= slightly more than medium) for victims' supporters and 4.2 (= quite a bit) for offenders' supporters.

- Likelihood of Offenders' Re-offending

The mean responses to the question regarding the likelihood of the offenders re-offending were '1.4' (= between very little and somewhat) for the offenders themselves and their supporters, and '2.2' (= 'somewhat') for victims' supporters.

- Likelihood of Offenders' Compliance with CJF Agreement

The following Table presents data on respondents' perceptions about the likelihood that the offenders would sincerely try to comply with the CJF agreement.

Table 8. Likelihood of Offenders' Compliance with Agreement.

	Mail-in Questionnaires		
	mean	sd	n
Offenders	4.7	0.6	23
Offenders' Supporters	4.7	0.5	26
Victims' Supporters	4.3	0.8	11

Table 8 shows that offenders, their supporters and victims' supporters, all believed that the offender would try hard (or sincerely) to comply with the agreement reached at the CJF. The mean responses are all above '4'. The victims were asked a slightly different question: *Did they believe that the harm and hurt caused by the offence will actually be repaired (to the extent possible)*. The mean response was '4.2' (or quite a bit).

Figure 7: Probability of Offender Agreement Compliance

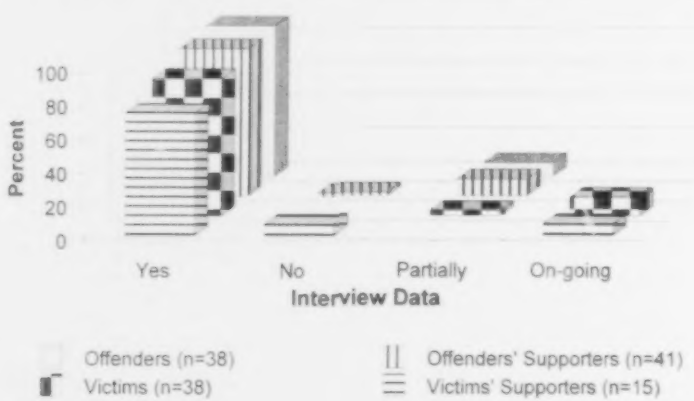
Willingness to Give Offender(s) a Second Chance

The mean responses to the question, "*Are you willing to give the offender a second chance?*" were '4.4' and '4.6' (both between 'quite a bit' and 'very much') for victims and victims' supporters respectively, and not surprisingly, '4.9' (close to 'very much') for offenders' supporters. Both offenders and their supporters expected that there would be quite a bit (or higher) of support for the offenders from their family and friends in complying with the agreement ('4.3' and '4.7' respectively).

B. Interview Data

According to the interview data, the types of offences dealt with at the CJFs were diverse: ranging from assault, theft, property damage to bullying, bomb threat and computer hacking. A majority of the cases involved the first three types of offences. The interviewed offenders were mostly young (age 14 to 18), and 80% of them were male, 15% female and for 5% the information is missing. Their supporters were mostly their parents, occasionally teachers. The victims and their supporters tended mostly to be adults. This is consistent with the information obtained from the trainers and facilitators (see the first report on the evaluation of Restorative Justice Initiative).

Figure 8: Knowledge of Offender Agreement Compliance



- Compliance with CJF Agreement

The interviewees were asked if, to their knowledge, the offenders had complied with the agreement. The total percentage of interviewees (n = 132) who stated that the offenders had complied with the CJF agreement was 84.8%. The percentage of offenders (n = 38, and 7 missing) who indicated that they had fully complied was 89.5%, the percentage of those who said they had partially complied (either because it was still ongoing, or had tried but could not) was 7.9% and in 2.6% of the cases, there was no agreement. Similar responses were given by offenders' supporters and victims. For victims' supporters (n = 15), the percentage of those who had fully complied was lower, 73%, and the other 27% was made up of responses such as 'no', 'no agreement', 'don't know' or 'ongoing'.

- Psychological Healing of the Victims

During the interviews, victims and their supporters were asked "*Did the CJF help the victims' psychological healing*?" Interestingly, the mean response for the victims was '4.2' (= 'quite a bit'), but it was '3.4' (= above medium) for victims' supporters.

- CJF Participation: Voluntary vs. Pressured

Most of the interviewees were asked whether they had participated in the CJFs willingly or due to pressure from someone. The total percentage of respondents (n = 115) who indicated that they had participated in the CJF voluntarily without any undue pressure was 97.4%. The following Table presents detailed data for the four categories of participants regarding this question.

Table 9. Voluntary CJF Participation.

Victims n = 43	Offenders n = 26 missing = 19	Victims' Supporters n = 9 missing = 7	Offenders' Supporters n = 37 missing = 9
95.3%	100%	100%	97.3%*

* One respondent said that at first he/she did not want to attend, but agreed when the process was explained fully.

- Willingness to Choose the CJF or the Court

Interviewees were asked if they would choose the CJF or court (the conventional legal system) if they had to do it all over again in a similar situation, but with the knowledge and experience of the CJF. The percentage of all interviewees (n = 126) who would choose the CJF rather than the court is 92.9%. The following Table presents the percentages of different groups of respondents who would choose the CJF vs. the court:

Table 10. Choose CJF vs. Court.

Victims n = 43		Offenders n =37		Victims' Supporters n =14		Offenders' Supporters n = 40	
CJF	depends on situation	CJF	court	CJF	court	CJF	other
93%	7%	86.5%	13.5%	93.3%	6.7%	95%	5.0%

It is interesting to note that the lowest percentage (the difference may not be statistically significant) of all those who indicated that they would choose the CJF, happens to be for the Offender category.

- Length of Time between Offense and CJF

Responses regarding the length of time (in weeks) it took from the incident to the CJF ranged from 1 week to 20 weeks, with the mean response for the total interview sample being 5.4

weeks. It should be noted that not all the respondents referred to the same cases, and sometimes, the case was *not* referred to the CJF facilitator immediately.

- Reasons for Attending the CJF

Table 11 presents participants' responses to the question: "*What were the reasons you decided to come to the CJF?*"

Table 11. Reasons for Four Categories of Participants' CJF Attendance.

REASON	# of OFFENDERS
Avoid criminal record - no court	6
Wanted to explain everything	8
Take responsibility for actions	2
To resolve the problem	.
To say 'sorry'	1
To show we didn't mean to hurt anyone	1
So we wouldn't want to kill each other	1
	# of OFFENDERS' SUPPORTERS
Avoid criminal record - no court	8
To solve the problem	4
To provide support	8
To have offender take responsibility	4
Wanted to find out about this option	3
Hoped this process would help offender	3
To have offender see result of actions	5
To have offender tell truth & face victim	3
To find out what actually happened	2
To have offender apologise & offer restitution	3
To see justice done	1
Closure for offender	1
To hear all sides	1
To see what kind of person the offender really is	1
	# of VICTIMS
Didn't want offender to have record	3
Didn't want to go to court	2
To have a say, input	2
To get things resolved, get answers, why?	5
To give second chance	3
Have offender take responsibility, face to face	14
To get help for offender & problems	2
Wanted to see how the process worked	5
Court would take too long	1
To get the behaviour to stop	1
	# of VICTIMS' SUPPORTERS
To have a say, unlike court	3
To have offender understand result of actions	2
To confront offender(s)	1
Child too young for court	1
Better to solve problem	1
Give offender second chance	1

- Respondents' Views on Whether or not Justice Was Done at the CJFs[6]

Interviewees were asked the question: "*Was Justice done*?" The mean response for all respondents (n = 135) was 4.3, with a standard deviation of .8, indicating their view that justice was done 'quite a bit'.

Table 12: Response Frequencies to the question "Was justice done?" by Four Categories of Participants[7].

	n	Mean	Mode	Median	sd
Victims	43	4.4	5	4	0.7
Offenders	37	4.3	5	4	0.9
Victims' Supporters	12	4	4	4	1
Offenders' Supporters	43	4.4	5	5	0.7

a) Victims

Victims believed that justice was done (a mean of 4.4). With a mode of 5.0, "very much" was the most frequent response from victims. A median of 4.0 suggested that half the scores (ratings given by respondents) were below 4.0 and the others were above 4.0. A standard deviation score of .7 suggested that the responses were very homogeneous or similar.

b) Offenders

Similar to the victims, offenders also perceived that justice was done (a mean of 4.3). With a mode of 5.0, "very much" was the most frequent response from victims. A median of 4.0 suggested that half the responses were below 4.0 and the others were above 4.0. With a standard

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[6]These two segments on "Was Justice Done" and "What is Justice?" have been adapted from the work done by Stephen Lieu, a fourth-year Sociology student at Carleton University who analysed and interpreted the pertinent data in partial fulfilment of the requirement for his field placement.

[7] If all ratings made by respondents are arranged from the lowest to the highest, the median is the rating right in the middle, half of all scores or ratings fall above and half of the others fall below the median. The mode is the most frequent rating given by respondents.

deviation of .9 there was some variability in the responses within the offender category compared to the victim category. However, the responses were still homogeneous.

c) Victims' Supporters

Victims' Supporters indicated that, for the most part, justice was done (a mean of 4.0). It is noteworthy that the Victims' Supporters had the lowest mean out of all the categories, but it also had the lowest n, so no statistical inference would be reliable. "Quite a bit" (mode = 4.0) was the most frequent response. Median of 4.0 suggested that half the responses were below 4.0 and the others were above 4.0. With a standard deviation of 1.0 Victims' Supporters had some variability in responses probably attributable to a small n.

d) Offenders' Supporters

Offenders' Supporters had the mean response of 4.4, so we can conclude that Offenders' Supporters agreed that justice was done. Their modal score was 5.0, or in other words, their most frequent response was "very much". The median was 5.0 suggesting that more than 50% of offenders' supporters gave a response of 5.0. With a standard deviation of .8, it can be said that the responses were homogeneous.

- Respondents' Views on the Concept of Justice

Interviewees were asked to respond to a crucial question "**What is Justice** (in their view)?" Table 13 presents the nine common dimensions and their frequencies in the respondents' definitions of "Justice", broken down by four categories of CJF participants.

Table 13. Definition of Justice: Common Dimensions.

	total # of definit'ns	Realize impact	Take respon-sibility	Pun-ish-ment	Righting wrongs	Deter-rence	Fairness	Regain control	Victim satisfa c-tion	Problem solving process
Victims	46	5	16	14	13	7	9	5	7	1
Offenders	33	2	6	[illegible]	8	4	14	1	[illegible]	6
Victims' Supporters	13	3	4	4	3	2	6	1	1	3
Offenders' Supporters	53	3	20	19	21	6	18	4	8	1

Total	145	13	46	52	46	19	47	11	20	11

A detailed description of the nine dimensions are provided below:

1. The offender's realization of the negative impact of his\her actions as Justice.

The Offender recognized that his/her actions were wrong. This dimension is illustrated by key words or phrases such as:

"The offenders must *realize and understand what they had done.*"
"Offenders *realize actions were wrong.*"
"Offenders *learn errors of their ways.*"

2. The offender's taking responsibility for wrong actions as Justice.

The offender must take responsibility for his/her actions or provide an admission of guilt, show remorse, regret, etc. This dimension is reflected in key words or phrases like:

"*Taking responsibility for your actions.*"
"*To own up to your* mistakes."
"*The offender* is *held accountable.*"

3. The punishment of the offender as Justice.

Retribution for an offense, or punishment of the offender is almost always present in most conventional definitions of justice. This dimension was also found in respondents' views on justice, and could be inferred from key words or phrases such as:

"You *have to take the consequences.*"
"One has to *suffer consequences of their actions.*"
"You are *punished.*"

4. Righting of wrongs as Justice.

Some respondents referred to the rectification of wrongs and reparation made to the victims and/or the community. Reparations could take many forms, from monetary restitution to community services. In this sense, justice can also be seen as a case of problem solving. Examples of this aspect of justice are key words or phrases such as:

"*Repairing damage caused by wrong action.*"
"*Righting the wrong.*"
"*Fixing the wrong.*"
"Victim is *properly compensated.*"

5. The deterrence of the offender(s) from future offences as Justice.

The offender must make an effort to change his/her ways. This dimension is illustrated by key words or phrases such as:

"...is willing to make *personal changes to correct them (error of ways).*"
"*Prevents future [wrong] actions.*"
"Satisfaction that *it will never happen again.*"

6. Fairness to and satisfaction of all parties as Justice.

This dimension of justice emphasizes that the process and outcome must be seen as fair by all those involved, and is highlighted by key words or phrases such as:

"Fixing the wrong to make it *right for everyone* involved."
"Punishment is *appropriate to crime.*"
"*Fairness to all.*"

7. Victims' sense of regained control as Justice.

The victim regained a sense of control [lost due to the crime - a sense of vulnerability suffered] through meaningful participation and an opportunity to provide input in the process and the outcome. This is found in key words or phrases like:

"I *get my say.*"
"*Victim has say.*"
"*Closure, relief, and personal control for victim.*"

8. Victim satisfaction as Justice.

The satisfaction of the victim with the outcome of CJF was another aspect of justice. This dimension is reflected in key words or phrases such as:

"Wrong is corrected *to the satisfaction of the victim.*"
"*Satisfaction that it won't happen again.*"

9. Justice as problem solving.

The last dimension viewed justice as problem solving and is illustrated by key words or phrases such as:

> "A *solution* is found."
> "*Resolves* it."
> "*Agreement to fix problem.*"

It is worth noting that the responses were not mutually exclusive, or, in other words, many of the dimensions were contained in any given respondent's response. Despite the lack of a majority agreement on what constituted justice, there was an interesting finding of the prevalence of four dimensions. These four dimensions were mentioned at least twice as often by respondents as the remaining five other dimensions. The four most prevalent dimensions were *punishment* (52 times); *fairness* (47 times); *taking responsibility* (46 times); and *righting wrongs* (46 times). The remaining five dimensions were: *victim satisfaction* (20 times); *deterrence* (19 times); *realize impact* (13 times); *sense of regained control* (11 times); and *problem solving* (11 times). Umbreit (1990b) found similar themes in his research on burglary victims' perception of fairness. The major themes were: fairness as rehabilitation of the offender, fairness as compensation of victim, fairness as punishment for the offender and fairness as offender expression of remorse.

a) Views of Victims

Victims, for the most part wanted the offenders to realize the impact of their actions by taking responsibility for their actions. In RISE (Australian National University, 1998), the researchers noted that most often what all victims wanted was an apology. Through offender accountability, the wrongs could be righted for the victim, which was another important element in victims' definitions. Suggestions on how to make things right by victims included reimbursement or reparations for damages, and restitution. Fourteen of the definitions mentioned punishment of the offender but they were usually coupled with fairness, satisfaction of the victim, and deterrence, suggesting that victims wished to see the offender punished, but on fair terms. Victims also wished to get their say on how the offenders are punished, an opportunity that is not allowed by the conventional justice system.

b) Offenders' View.

Within the offender category punishment and fairness seemed to be the most important dimensions. This finding tends to suggest that offenders still believed that justice is equated with being punished for wrong actions, but they also wished for a degree of fairness. Few offenders mentioned 'offender taking responsibilities for [wrong] actions'. Among all categories of respondents, offenders mentioned problem solving most often, thereby suggesting that they, more than other participants, saw the process of problem solving as a part of justice. This might suggest a degree of cooperativeness in righting the wrong.

c) Victims' Supporters' View.

To the victims' supporters, fairness and appropriateness of punishment seemed to be the most important elements of justice. 'Offender taking responsibility' also appeared to be the next important element of justice, in their view.

d) Offender's Supporters' View.

Finally, in the offenders' supporter category, the four prevalent elements were virtually equal in frequency, with 'righting of wrongs' having a marginally higher frequency than 'offenders taking responsibility', 'fairness', and 'punishment'. For the most part, the offenders' supporters wanted to see reparations made with offender accountability, and for the process to be fair.

- Respondents' Views on the Applicability of CJFs to all Ages, all Offence types, Indefinite Times

We had asked the interviewees to provide us with their opinions on when should a CJF be used, or not used: for which age groups, for what type of offences and whether it should be used only for the first time offenders, for the second time also, or it really does not matter if it is the first, second or more times. The following table presents the response frequencies for the four categories of respondents.

Table 14. Respondents' (Four Categories) Views on CJF Restrictions.

	victims	offenders	victims' supporters	offenders' supporters
CJF Age Restrictions:	n=30	n=19	n=9	n=31
* 13 yrs & under	-	-	-	1
* Up to 16 yrs	-	1	-	1
* Up to 18 yrs (Young Offenders)	5	10	5	6
* Not for 12 yrs & under	-	-	-	1
* Up to 20 yrs	1	1	-	-
* All ages	22	6	4	21
* Any age for 1st offense	2	1	-	1
CJF Offense Restrictions:	n=29	n=19	n=8	n=31
*Minor offenses (no serious or violent crimes)	20	16	7	20
* No sex offenses	2	1	-	3
* All crimes acceptable	5	2	1	4
* Depends on circumstances	2	-	-	3
* Not all offenses	-	-	-	1
Repeat Offender Restrictions:	n=28	n=18	n=8	n=29
* No limits	3	-	-	1
* 1st and 2nd time only	8	7	1	11
* upto 3 offenses	4	2	1	1
* Depends on circumstances	-	-	-	1
* 1st time only	13	9	6	14
* Restrictions are needed	-	-	-	1

Section Two: CJF Facilitators' Perceptions

Interview Data.[8] A brief overview of the CJF process and the role of CJF facilitators will be useful in providing a full context of the facilitators' perceptions and opinions. This section complements the information presented in the first report (based on surveys and telephone interviews of approximately 200 respondents from across the country) on the evaluation of the Restorative Justice Initiative by providing in-depth interview data on various aspects of the CJF process and its use from the facilitators' perspective.

The CJF process. A CJF involves a series of five steps:

1. When responding to an incident, police in most RCMP jurisdictions may use their discretion on what measures to take in handling it. If a police officer trained to act as a facilitator considers a case to be appropriate for a CJF, he/she can decide to conduct a CJF, or refer appropriate cases to other facilitators or to those who are in charge of organizing CJFs. The Crown, trial judge, or probation officer can also introduce a case (i.e., make a referral) to the CJF process.

2. The facilitator (or the person responsible) organizes the CJF by calling all potential participants, explains to them the CJF process, and invites them to (voluntarily) attend the meeting to address the incident and participate in its joint resolution.

3. The facilitator leads the session by following a script that was developed by recognized experts. It is important to note that facilitators facilitate the CJF by encouraging participants to discuss the incident and find a way to solve the problem. Facilitators do not tell the participants what to do, nor do they tell the participants what they should do about the problem.

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[8]The section on "Interview Data" was adapted from the work done by Haeley Morrison, a fourth-year Criminology student at University of Ottawa in partial fulfilment of the requirement for her field placement. Additional data for this section were summarized by Brenda Smith.

4. The participants work together to find a solution to the problem - one that is agreed upon by all stakeholders without any external or internal pressure.

5. The final step is one of closure where the facilitator completes a written copy of the agreement and everyone shares refreshments. This step is important since it allows the participants to engage in informal discussions on what has occurred in the session, thereby initiating the actual restorative processes to take place.

[The above information is based on: Community Justice Forum, Facilitator's Guide to the RCMP Learning Maps, published by the Community, Contract, and Aboriginal Policing Services, Royal Canadian Mounted Police, 1998.]

The role of the facilitators.

The facilitators of CJFs play a very important role since they organize and lead discussions in CJFs. Their presence and support initiate problem-solving strategies for the offending behaviour without taking away from the participants' input in the meeting.

The interviews. In-depth, face-to-face individual or group interviews with the facilitators were conducted by the Research and Evaluation Branch of CCAPS to obtain their opinions on CJFs. The answers of thirty facilitators, with various amount of direct experience of facilitating CJFs, will be examined in this section. Many of the respondents were current or former social workers, some were members of other police forces (such as, Winnipeg City Police) and some were RCMP members. The loosely structured interviews consisted of seventeen to nineteen questions in open-ended format. The questions allowed the facilitators to provide an insight into how they were trained, how they used their training, as well as their perspectives, thoughts, and feelings on CJFs.

1) *Do you think the CJF is better (or worse) than the conventional legal process? Why?*

Most facilitators stated that CJFs were better than the conventional legal process. They further added that CJFs provided "more satisfaction for both victim and offender" and were "important because they recognize the impact on victims". These respondents also believed that the courts neglected the needs of both victims and offenders. The remaining three participants stated that

the value of CJFs over the courts "depends" on how appropriate they were for the type of offence and offenders involved.

Although facilitators acknowledged that the CJF process would not totally replace the need for the court system, they conceded that both victims and offenders found this type of justice more satisfying because all participants got a chance to speak their minds and develop a solution for which they can take ownership. The communities were able to resolve their own issues in a way that satisfied their need for and their definition of justice. Many facilitators indicated that the CJF often resulted in a new or at least an improved relationships between victims and offenders due to the opportunity for reconciliation and reintegration of the offender. Unlike court, the CJF explicitly offered the offender an opportunity to assume responsibility for the wrong action and repair the damage caused by it, while giving the victim a 'voice' and a 'say' in the matter. The offenders could then feel assured that they were doing the 'right thing' by obtaining agreement from the victims and their supporters, as well as their own supporters (see Appendix A for a real example).

2) *Taking into consideration the time it takes from the time a case comes to the police until it is completely resolved, which approach (court/CJF) takes more or less time?*

Most facilitators believed that CJFs were more time efficient and productive, though the preparation for them (that is, in gathering and briefing participants, setting a time and date) could be "time-consuming". One of these facilitators argued that the "court has too many adjournments". One respondent stated that CJFs did take a lot of time to conduct, but that the end result might be more important than "time". Another did not really answer the question and instead said that police in his community (Meadowlake and Greenlake) could refer a case to a CJF after a period of five days from when the incident occurred.

3) *Do you think referrals might pose a problem for some facilitators?*

Fourteen facilitators believed that receiving referrals for CJF cases would not be a problem. Four interviewees, however, believed that referrals would be a problem since there was no "structured or consistent delivery system" for referring cases to facilitators. In one division, for

example, facilitators send potential CJF cases to the Crown for approval, and if they do not hear within a week, they conduct a CJF. In one detachment, a CJF coordinator (trained community member) decides which cases are appropriate for CJFs and assigns them to various facilitators. There are other procedures being followed by facilitators in other divisions/detachments. Most facilitators felt that more education and awareness of the CJF process was necessary to facilitate both the referral process and community receptiveness to this new initiative. Police, crown counsel and other community agencies might be reluctant to refer cases to the CJF process because they did not have enough information to make an informed choice about this option. They were unaware of what CJFs were, what occurred during the process and what the outcome meant for participants. Many police perceived the CJF as a "soft" option or "an easy way out". Most facilitators felt that education and awareness would go a long way to dispel these misconceptions and increase the number of CJF referrals. More specifically, some facilitators suggested that RCMP members required more education and training if they were to be the leaders of this initiative; more awareness might help them to be more supportive of the initiative and give it "an honest try". The same was true for community members who were hesitant to accept the CJF as a viable tool to achieve justice. Although most communities where CJFs are being held were receptive to the idea, facilitators believed that those that were not initially receptive, did not have a sufficient amount of information to draw from. Those people who were knowledgeable about the CJF objectives were usually receptive. One facilitator reported that after an open-line phone show was done, there was nothing but positive comments from the community about the process. Two other facilitators mentioned that together they have provided information sessions to at least 1000 civilians and visited 17 RCMP detachments. Turn-over of members in detachments posed an additional problem. In general, "the community is not aware of the process and its potential" which makes awareness a key issue to be addressed in this context.

4) *What type of training (in conducting CJFs) did you receive?*

Thirteen facilitators attended a three-day training workshop; four received a two and a half day training session. Two facilitators were trained for five days, whereas another respondent was only trained for four hours, along with observing two CJFs. Another facilitator also observed four "mock" CJFs along with three hours of training. One actually received no training at all; he

"taught" himself. Two facilitators did not specify the length of their training, and instead stated that they observed mock CJF sessions and studied training materials. Generally, the interviewed facilitators were trained by the RCMP.

5) *What type of CJF process do you usually follow?*

The majority of the facilitators followed a "script" - a guideline to assist them in initiating discussions, and lead it into a problem-solving direction. One facilitator followed a "specific model", but did not specify the model. Another facilitator followed a process that had already been used by an RCMP member. Facilitators received their scripts at training sessions; one facilitator even made the script himself. The facilitators also mentioned the importance of having the flexibility and willingness to adapt their scripts depending on the people they were interacting with (i.e., local appropriateness and cultural sensitivity).

6) *Who usually sets up and prepares for the CJF?*

Most facilitators prepared for the CJFs themselves. Seven other facilitators stated that the police officers who referred the cases also made preparations for the CJFs. In another case involving a young offender, the principal of the school where the offender was a student and where the incident took place, had set up the CJF.

7) *In your opinion, do the CJFs address the underlying causes of offences rather than focus only on the impact of the offence?*

Twelve facilitators stated that CJFs tended to address the incident at hand for the most part, though they noted that CJFs generated "a bit" of discussion about the underlying causes of offences. Nine facilitators believed that CJFs did address the underlying causes of offences. One facilitator believed that whether CJFs would address underlying causes or only focus on the impact of the offence "depends on the issue at hand", while another believed that CJFs focused on both aspects. The remaining facilitators thought that CJFs "somewhat" focused on the impact of offences. Those facilitators that thought that CJFs focused more on the impact of the specific

offence also noted that CJFs were not "set up to dig into deep issues," and that there was really no "support system" to follow-up even if one analysed the underlying causes during CJFs.

8) What type of community do you work in (size, urban/rural, ethnic make-up, employment status, age-group make-up, etc.)?

There were a wide range of characteristics in the communities that the facilitators worked in. For instance, the populations ranged from four thousand to fifty-five thousand. Nine facilitators stated that their communities included an aboriginal population; nine other facilitators stated that their communities included a large white population. Two facilitators stated that there was a black population in the communities they worked in. Some communities had high unemployment rates, others had low ones, and some had moderate rates of both employment and unemployment. Most communities were rural and some combined both urban and rural.

9) *Is the community receptive to the CJF?*

Majority of facilitators said that the communities were receptive to CJFs. Some believed that the communities were only receptive to a CJF when they were informed as to what it was and what it did. Three facilitators stated that the community and the local RCMP were not "welcoming" of the CJFs, but that this lack of reception was most likely due to little education and awareness of CJFs. One facilitator stated that the aboriginals in her communities were more receptive than non-aboriginals.

10) *Is there any tangible benefit to the community (such as reduced fear of crime)? How do you know?*

Most of the interviewed facilitators stated that CJFs provided a tangible benefit to the community, and gave reasons such as the value of the victims obtaining a different perspective on the offenders, as well as their having the opportunity to communicate with the offenders and talk about how the offences had impacted on them. The others did not think that the CJFs had any tangible benefits - one because of the "nature" of the community (mostly transient and without stable employment) he was in; another because she thought, in her case, it was "too early

to say". The last one believed that there might be only "potential" benefits in the offender recognizing the impact of the offence on the victim.

11) *What types of offences are being dealt with through CJFs?*

Fifteen of the facilitators stated theft as one of the offences. Nine from this group, along with four others, stated assault as well. Other offences included vandalism, "bullying", property damage, drug use and possession, shoplifting, and breaking and entering.

12a) *Are victims generally reluctant to participate in CJFs?*

Three facilitators said that victims were "somewhat" reluctant and needed "persuasion".

12b) *Are offenders generally reluctant to participate in CJFs?*

Three respondents answered that offenders were not really reluctant to participate in CJFs. Two others answered that the offenders were reluctant at first, although they agreed to participate in the CJFs when they were provided with more information.

13) *Do you know the percentage of offenders who are Aboriginal/Caucasian/Other, and male vs. female? [or, What are the offenders' ethnicities (if known), and their gender?]*

Eighteen of the facilitators had white offenders. Six of these eighteen, as well as one other facilitator, also had aboriginal offenders in their groups. Most facilitators had equal numbers of male and female offenders in their cases. One facilitator stated that some of his cases involved seven young offenders, who were all white, some were males and some, females. As well, his other cases have involved four adults, and he stated that they included one aboriginal. Two facilitators stated that there were both males and females at their CJFs, and that they were "mostly white". One of the last two facilitators stated that she worked with aboriginals, while the other facilitator said that he worked with mostly male non-aboriginals.

14) *How do you maintain the confidentiality and security of the case records, especially for young offenders?*

Most facilitators stated that their records were kept secure by locking them in filing cabinets or their offices, were kept with the referring officers, or were kept in the filing system at schools (where the young offenders attended). The three other facilitators stated that they did not keep any records, and instead "committed the information to memory".

15) *Are there follow-ups regarding the compliance with agreement reached at CJFs? Who does it? Who should ideally do it? Are there any records kept?*

Fifteen participants stated that the facilitators should do the follow-up. Three of these fifteen, along with six other participants, believed that the investigating officer on the case should also do the follow-up. One facilitator said that a community member should do the follow-up, while another facilitator said that there was no actual follow-up: instead, the offenders' supporters and victims' supporters agreed to inform the facilitator of any problems in this case. Another facilitator said that Victim Services did the follow-up.

16) *To your knowledge, is there any difference in compliance rate related to offender characteristics or background factors?*

Nine facilitators stated that support for the offender is important in whether they comply with the terms of their agreements. One facilitator did not answer the question, and another one stated that there were "some problems" with offender compliance. The remaining thirteen said that they "do not know yet". Although some facilitators felt it was too early to tell if there were any differences in compliance rates related to offender characteristics or background factors, others indicated that it very much depended on the level of support available to the offenders. Parental support, in particular for young offenders, often seemed to increase the likelihood of compliance as the sense of responsibility was enhanced. Offender support is most likely to be available, if a 'community of care' existed during a CJF, providing the offender with a real chance to repair the damage and 'make things right'. If offenders felt that they had the support of significant others

in their lives, then they might feel more obligated to do "the right thing".

17) Who usually makes the decision to use the CJF or follow the conventional route in a specific case?

Most facilitators said that the RCMP members involved in responding to the incidents made the decision. Four other facilitators stated that a school official made the decision (that is, for cases involving incidents that take place in schools and involved any of the students). Two facilitators stated that "someone they knew made the decision", and another one said that a "local community committee" made the decision.

18) In your experience, is everyone open-minded about solving the problem that brings them to a CJF (as opposed to being focused on assigning blame)?

Only two facilitators stated that they had "some problems" with people assigning blame. Generally, facilitators reported that most participants focused on fixing the damage that was done. However, a number of facilitators cautioned that not all participants were open-minded in the beginning. They might first attempt to assign blame to an offender (or even a victim or a supporter) instead of trying to solve the problem. Facilitators also indicated that once participants were exposed to the process, they tended to become aware of the CJF objectives and then focused on solving the problem, not condemning the offender. One facilitator suggested that a 'good' facilitator will ensure the focus to remain on solving the problem.

19) *Should the CJF be made available to all offenders, regardless of age, the type of offence, or 1st/2nd time or more?*

Most facilitators thought that violent and serious crimes should not be dealt with by CJFs. Seven facilitators said that CJFs were not appropriate for repeat offenders. Others believed that CJFs were appropriate for offenders even after the first or the second offense. Two facilitators believed that CJFs should be available for all types of offences, but at different stages in the judicial process for different types of offences. For example, for some serious types of offences, it might be appropriate to hold a CJF following a trial and sentencing by court, or before release

after a jail term.

Overall, facilitators reported that they felt that the CJF should not be used for all types of offences, specifically serious violent crime or those offences that cause the victim great physical and/or mental anguish (i.e. murder, sexual assault, rape, child abuse, domestic violence, armed robbery, impaired driving etc) . Facilitators suggested that if the CJF was to be used in these cases that it be used as a part of a sentence and not a disposition on its own, partially because public perception and safety should be key issues when considering this option. Although many facilitators felt that the CJF is best utilized for minor offences and is an excellent tool for reintegrating offenders of all ages back into the community, they cautioned that each case should be assessed individually depending upon the circumstances of the incident. They also suggested that it would be useful for repeat offenders, but again they pointed out the need for discretion.

Questionnaire Data. CJF facilitators, mostly police officers, filled out questionnaires immediately following the completion of 69 CJF sessions they had facilitated, to provide us with their perceptions regarding those specific CJFs. Information on some of the CJFs were also collected independently of the interviews (see Appendix B). The questionnaire included the following issues:

(a) number of participants present at the CJF
(b) facilitators' overall satisfaction with the CJF
(c) how open-minded did they (facilitators) perceive CJF participants to be regarding solving the problem (undoing/minimizing the harm caused by the wrong action)
(d) how fair they believed the agreement to be
(e) how likely was the agreement to be honoured
(f) did they think any of the participants felt any undue pressure
(g) how appropriate was the case for a CJF
(h) how likely was the damage to be actually repaired
(i) how much did the offenders realize the impact of their wrong actions
(j) how much did the offenders' supporters realize the impact of the offenders' wrong actions
(k) how much did the CJFs help in answering the victims' questions and in bringing about a

closure?

The following section summarizes the data received from the facilitators on the above issues: The number of participants present at the CJFs ranged from 3 to 23, with the mode or the most frequent numbers being 5 and 7 (there were 11 cases for each). Overall satisfaction of these facilitators with CJFs was 'quite a bit' (mean rating of 4.1). They believed that in general, participants showed open-mindedness about solving the problem (mean rating 4.3), that the agreements were quite fair (mean rating of 4.5) and that the likelihood that they would be honoured was quite high (mean rating of 4.5). According to the facilitators, there seemed to be some undue pressure perceived by participants (mean rating of 2.3). The cases were considered quite appropriate for CJFs (mean rating of 4.6) and the damages from wrong actions were likely to be repaired (mean rating of 4.0). The offenders and their supporters both seemed to have realized the impact of the wrong actions on others (mean rating for offenders 3.8, and 4.3 for their supporters), and finally, CJFs seemed to have answered victims' questions and brought about a sense of closure quite a bit (mean rating was 4.0). As can be seen, the immediate feedback of the facilitators was really positive in almost all respects, and similar to the results obtained from the CJF participants themselves.

Discussion

CJFs are said to be restorative. Advocates of restorative justice claim that by bringing together and directly involving offenders, victims, and their families/friends in discussing the problem (the offense and its consequences) and in finding an acceptable solution, the CJF helps repair the damage and the injury, that it restores the sense of control, dignity, power and security to the victim(s), and harmony is restored as a result of participants' perception that the process was fair

to all and that justice was served. CJFs are also hypothesized to be reintegrative for the offenders, who are required to take responsibility for their offenses and for reducing or undoing the harm and hurt caused by their actions. In the following section, we will discuss our findings in the context of these claims.

- ***Overall Satisfaction, Satisfaction with Procedural Fairness & Agreement/Outcome Fairness***

One set of criteria for determining such claims is to determine how satisfied the participants were with the CJF *process* as well as with the *agreement/outcome*. This study showed that CJFs across Canada enjoyed strong support, from both victims and offenders on the measures of *overall satisfaction, satisfaction with procedural fairness* and *satisfaction with agreement/outcome fairness*. The mean rating for overall satisfaction as well as levels of satisfaction with procedural and outcome fairness were high among all participants. This is consistent with a number of previous studies involving other restorative justice initiatives (Maxwell and Morris, 1993; Umbreit and Coates, 1993; McCold and Wachtel, 1998; Australian Federal Police and Australian National University, 1998) that found similar positive results. In a study by McCold and Wachtel (1998), in which cases were randomly assigned to conferences or court in Bethlehem, Pennsylvania, significant differences were found between victims who attended family group conferences vs. those who attended the court in satisfaction with the way their cases were handled (96% vs.79%), in their belief that the offenders were held adequately accountable (93% vs. 74%) and in their perception that their opinion was considered (94% vs. 91%). Results were similar for offenders: 63% of offenders who attended family group conferences vs. 34% of those who attended the court were *very* satisfied with the way their cases were handled, and 92% of the former group vs. 84% of the latter group thought that their opinion was considered. Offenders' parents expressed similar views as well. Preliminary findings from the the Reintegrative Shaming Experiments (RISE) in Canberra (Australian National University, 1998) showed that compared to court participants, offenders who participated in conferences expressed more satisfaction with procedural fairness, and perception of safety and closure was higher among victims after they attended conferences rather than courts.

Almost 90% of all participants reported they felt 'quite' (39%) or 'very' (51%) satisfied with the

CJF overall, with the remaining 10% indicating 'moderate' level of satisfaction. Thus, no participant indicated dissatisfaction with the CJF experience. Also, levels of overall satisfaction did not seem to differ significantly (no statistical analysis was done) among categories of participants. Eighty-five percent of offenders and 94% of victims reported they felt either 'quite' or 'very much' satisfied with the CJF overall. The participants also rated highly (mean responses range from 4.6 to 4.8) the appropriateness of their cases to be dealt with through a CJF.

More specifically, 74% of all participants indicated that they felt the CJF *process* (*procedural fairness*) was 'very' fair and an additional 22% said it was 'quite' fair. In fact, *procedural fairness* rated the highest among the three measures of satisfaction. This unequivocally suggests that participants were generally very satisfied with the way and manner their cases were handled during the CJF. The process of having a direct input into achieving justice also appeared to *empower* the participants.

In fact, although both victims and offenders seemed to be highly satisfied, more victims appeared to be satisfied. Sixty-two percent of offenders compared to 79% of victims said that they were 'very' satisfied with the *procedural fairness*. This is especially noteworthy in contrast with the conventional legal system where the victims often feel marginalized and powerless, and even revictimized by the process (Sherman and Strang, 1997). Results were reversed among the supporters; 80% of offenders' supporters compared to 63% of victims' supporters felt the *procedural fairness* rated a '5'. This difference may be due to the large difference in the number of participants in these two groups. The reasons for the high levels of satisfaction with procedural fairness is the fact that the process was seen as open and transparent, that participants perceived being treated with respect and understanding (even the offenders, whose mean rating was 4.5), and that most participants got a chance to express their feelings and opinions in an open and honest manner (see Table 4). This is illustrated in the following comments by interviewed CJF participants:

Offenders: *"Yes, I had my chance to have a say." "Yes, they gave me time to speak."*

Offenders' Supporters: *"Yes, everyone had a chance to talk."*

Victims: *"I said what I wanted to say."*

"It cleared the air."

"Yes, that was the beauty of this. Everyone has an input."

"In court the victim is a criminal more than the criminal is. You are not allowed to say how you feel in court. CJF is not a slap on the wrist as people say because they [offenders] have to look at me. They understand how I feel and are not angry with me."

Victims' Supporters: *"I think it was fair and everyone had a chance."*

"Yes, everyone had a chance to talk & express their view."

"I think it is a good process and I don't have confidence in the regular process. I think they should look for this model in schools."

However, there were a very small number of participants who did not feel that the process was completely fair as illustrated by the following comments made by two young offenders:

["Was the process fair?"] *"Yes and no. Reason for no because when I walked in there I knew I had to meet all the victim's demands. Like I didn't dare challenge them because the court room was hanging over my head. I believe the victims got what they wanted. I believe that was because of my lack of education of the process. It was fair in the sense that I did wrong and he [the victim] was paid back the damages."*

"No. I was on trial in the room."

In spite of the generally high level of satisfaction with the CJF process, there was a slight indication of perceived undue pressure to attend the CJF on the part of victims (mean rating 2.6, although responses within the group varied widely as indicated by a standard deviation of 2.4).

This perception was less pronounced among the offenders and their supporters (Table 4). Responses also suggested that before coming to the CJF, not all participants had as clear and thorough understanding of what it involved (see Table 4), as would be desirable. However, in spite of their imperfect understanding of the process, majority of participants had participated in CJFs voluntarily (100% of offenders and victims' supporters, 95.3% of victims and 97.3% of offenders' supporters).

Results for *satisfaction with agreement/outcome* were also consistently high. This measure showed that 91% of all participants felt the *agreement/outcome* was 'quite' (26%) or 'very' (65%) fair and most participants acknowledged that they were given a chance to provide input into the agreement with no pressure from anyone. This can be seen in the following typical comment, in this instance made by a victim,

"Yes, I do [think the agreement was fair] because they asked everyone for input and gave them a chance at the end [to say] if they were satisfied. They also asked the accused if he felt it was fair. They also asked the accused what he should do for reparation."

Satisfaction with the outcome was by no means universal. As another victim, representing a minority, commented: *"I agreed under pressure because I wanted to get it over with."*
More specifically, high level of satisfaction across categories of participants was observed; 97% of victims rated the fairness of the *agreement/outcome* at 'quite' (29%) or 'very' (68%) fair while 77% of offenders rated it between 'quite' (27%) and 'very' (50%) fair. These results are significant, particularly in relation to victims who often report feeling frustrated with both the *process* and the *outcome* of the traditional court system (Sherman and Strang, 1997).
Another measure of participants' satisfaction with their CJF experience was demonstrated in their reported choice between the CJF and the court, if they had to do it all over again. Majority of them - 87% of the offenders, 93% of the victims, 95% of offenders' supporters and 93% of victims' supporters would choose CJFs over the court.

- ***Offenders Taking Responsibility for Their [Offending] Actions and for Undoing the Harm.***

"In restorative justice, offender accountability is defined as 'understanding [the] impact of [the offender's] action and helping decide how to make things right'" (Van Ness, 1990:10). This may come in the form of an apology, reparations - monetary payments, work for the victim, community service or other terms outlined and agreed upon during the CJF. All CJF participants provide input into the agreement, including the offenders which suggests some level of understanding on their part.

The CJF participants' belief that offenders realized the impact of their offending actions on others, was rated very high. Results showed that 98% of all offenders indicated that the CJF helped in their understanding of the consequences of their actions and their willingness to take responsibility for the same. Specifically, over 87% of offenders stated that it helped them 'moderately' (6%) to 'quite a bit' (21%) to 'very much' (60%). About 97% of offenders' supporters also felt assured that the offender(s) realized the impact of their actions to some degree. Thirty-eight percent of all offenders' supporters reported that they felt this had occurred 'quite a bit', while another 48% endorsed 'very much'. Everyone (100%) in the categories of victims and their supporters indicated that they felt the offenders understood and took responsibility for the consequences of their offenses at least to some extent, resulting in accountability to their community. Forty-three percent of victims and 36% of victims' supporters chose 'quite a bit' while 24% of victims and 18% of victims' supporters felt that the offenders 'very much' realized the impact of their actions. An additional 14% of victims and 18% of their supporters chose 'moderate'. The following comment by a victim emphasizes the importance for the offender to take responsibility (in a reintegrative sense): *"I believe everyone deserves a second chance to a certain degree. However, it must be understood by the offender that this is a serious offense and a lot of people are affected by their actions."*

In the present study, it is clear that the participants, and more importantly, the victims felt that the offenders were held accountable. Most victims stated that one of the reasons they participated in the CJF was to have the offenders take responsibility for their actions, in a face-to-face situation. This reflects a strong psychological need for them, which is often not met in the conventional legal system which typically discourages offenders to take responsibility. It is

interesting to note that the offenders and their supporters also expressed a similar need. Most offenders said that they attended the CJF because they wanted to explain their behaviour, to take responsibility for their actions, to say 'sorry' or to show that they did not mean to hurt anyone. Their supporters similarly indicated that they wanted the offenders to see result of their actions and to take responsibility, to have them tell the truth and face the victims, and to apologise and offer restitution to them. The fact that supporters of both offenders and victims indicated that they felt the offender displayed 'genuine remorse' for their actions also supports the observation that participants felt accountability was achieved. This finding presents a stark contrast to common court cases where the accused, whether they really happen to be the offenders or not, typically try to avoid taking responsibility for their actions.

- ***Support for Offenders in the Context of 'Reintegrative Shaming': Community of Care***

The Community Justice Forum (CJF) process is fundamentally premised on the theory of 'reintegrative shaming' developed by John Braithwaite (1989). Unlike most forms of punishment, reintegrative shaming is done in an environment of care and respect. In this context, it is perhaps the most important factor in restorative justice resulting in a balance between justice (punishment) and care (acceptance).

During a CJF, individuals close to the offender and those involved by the circumstances (particularly the victim) show their personal dissatisfaction with the offending behaviour by explaining how it affected their lives. The offender feels shame as a result of personal remorse triggered by the disapproval shown by others, especially by significant people in their lives. However, the offenders are not deemed as outcasts; rather, they are given an opportunity to regain their status as valued members of the community after those who have done the shaming show 'gestures of reacceptance' and forgiveness (Braithwaite cited in Van Ness and Strong, 1997:117). These gestures are symbolic of the community's wish to reaffirm the offender's self-worth and place in the community. This clears the way for the offender to re-enter the community after they have taken ownership of their actions and displayed intentions to make up for or to minimize the damage. The emphasis is *restorative* (to make things right), not retributive, and the relationship between the offender and the community is not severed, but

maintained (White, 1994; Van Ness and Strong, 1997).

The present study examined two indirect indices of reintegrative shaming; (1) the offenders' stated level of realized impact of their actions and (2) compliance with the agreement. These two measures were also indicative of the extent to which the harm and hurt resulting from the offending actions were likely to be or actually repaired. Several offenders' supporters implied reintegration (reacceptance and forgiveness) in their remarks during interview,

"It is such a good process, otherwise this stupid mistake would have ruined his life - he is a good boy and has a lot of potential. I am so grateful that we could resolve this problem in this way."

"My son is a good boy. This program is very good because it gives them a chance to learn from their mistakes."

Offender compliance with the agreement also provided additional support for the reintegrative shaming aspect of the process. Offenders and their supporters who responded to the written questionnaires reported to what extent they felt the offenders would try to comply with the agreement. All offenders (100%) agreed to uphold the agreement; 70% 'very much', 26% 'quite a bit' and 4% 'moderate'. All offenders' supporters were also very positive about the offenders actually being willing to comply; 73% percent felt the offenders would try 'very' hard and an additional 27% indicated that the offenders would try 'quite a bit'. The supporters were also quite willing to help.

Interview participants were asked if, to their knowledge, the offenders had actually complied with the agreement. Their responses were also positive; 90% of offenders reported that they had complied with the agreement while another 8% indicated that they had partially done so up until that point. Eighty-eight percent of offenders' supporters said that the offenders had completed the agreement while only 2% reported that they had not. However, 10% also indicated that the offenders had tried to fulfill the agreement, but unfortunately failed for various reasons. Eighty-two percent of victims and 73% of their supporters also reported agreement-compliance. These percentages are consistent with those reported by Wundersitz and Hetzel (1996) in their

evaluation of Family Group Conferences where 86% of agreements were complied with and an additional 3.4% were waived because of near-completion.

Results discussed above suggest that the CJF process was successful in making the offenders experience remorse, take responsibility for their offending actions and for minimizing or undoing the consequences of such actions to the extent possible. The following comments illustrate the point:

A victim commented: *"Yes, I saw remorse [from the offender]."*

One offenders' supporter reported that she felt the offender *"was a good kid and he understood that he had to take responsibility for his wrong action and undo that."*

Another offenders' supporter said that the offender *"... wanted to satisfy the victim because he didn't realize how much it impacted them [before the CJF]."*

It can be conjectured that offenders felt the need to comply with the agreement as a result of personal remorse they experienced when they came to realize the consequences of their actions. This can be attributed to the positive effects of the reintegrative shaming which is said to allow an offender to take responsibility and then 'make things right' after being 'reaccepted' by those who matter to them most. When offenders were asked why they complied with the agreement, although some candidly said that they had to comply because they knew the alternative would be to go to the court, several offenders remarked,

"I knew I had to do it. I looked at it from the victim's point of view and if this happened to me I would want to be treated the same."

"It gave me a chance to express to my victim that I felt bad and I'm willing to make amends."

"Wanted to make up for what I did wrong."

"Wanted to - felt bad for what I did."

"Had to fix things."

"I did everything and more, because I enjoyed doing it."

These comments are supportive of Braithwaite's (1989) position that most people obey the law "not primarily because they fear formal penalties but for reasons of greater personal significance. First, they obey the law because ..... [b]reaking a just law would violate their idea of themselves as positive moral agents. Second, most people obey the law because they fear disgrace in the eyes of the people who matter to them." (Moore, 1995 p.255). They also highlight the difference between 'stigmatizing shame' which may further embitter and alienate the offenders, and 'reintegrative shame' that occurs when a wrong-doer has to take responsibility for a wrong action and its consequences in a supportive, respectful atmosphere - which helps reinforce their self-concept as worthwhile human beings. This interpretation is also consistent with the finding that the desire to explain everything and to resolve the problem together with taking responsibility for the action constituted the bulk of responses why offenders wished to participate in CJFs, although the initial and primary motivation for both offenders and their supporters was probably to avoid criminal record (see Table 11). In this study, the following comments made by victims provides evidence of this notion as well as of an environment of care:

"I like this system because it steers the person in the right direction instead of sending them to jail - taking them out of their environment."

"They are young, have a life ahead of them - [I] didn't want to ruin their lives."

Some additional comments made by the offenders were illuminating as well:

"It was hard because it made me answer to the person I affected. I had to answer to my wife and children. I had to answer to the people in my village. In regular court I would not have to

answer to the people I hurt. I really had to look at myself. I couldn't lie to people I grew up with."

"It was hard to take. You have to deal with a lot of hard questions and you don't know how to explain yourself. Yes, it is something new."

"The actual process itself when everyone shared their thoughts - it really hit home when my father started talking. It really hit hard. I don't feel like a criminal. I'm not looked down upon in the community."

These comments indicate that the CJF process indeed included both the required shaming and caring contexts from which to 'make things right'. The comments of these offenders also counter the criticism that CJFs are 'soft on crime'. In fact, one young offender said that if he were to do it all over again, he would choose the court over the CJF, because the court would treat him more leniently. The same sentiment was reflected in offenders' stated choice of CJF vs. the court, and their satisfaction with CJFs, which seemed to be relatively lower in comparison to other categories of participants.

It would also seem that the shaming was not excessive to the point of humiliation or stigmatizing, but rather ended in a second chance. Participants ensured that offenders were held accountable for their actions and also shown forgiveness for those actions. In fact, over 90% of victims who answered the questionnaire indicated that they would be 'quite' (28.6%) or 'very' (62%) willing to give the offender a second chance. Some of the victims indicated that they came to the CJF because they wanted the offenders to have a second chance. Victims' supporters and offenders' supporters were also willing to give the offenders a second chance (ranging from 'moderate' to 'very much', mean ratings for all categories of participants were at least '4.4') .

- ***Victims and Communities Regain Sense of Control***

What makes a victim a victim is their loss of control over what happens to them as a result of

crime. When it comes time for justice to be done, most victims wish to have some influence over those proceedings since the loss of control was the reason that brought them to that point in the first place. This sense of lost control is often more damaging than any physical or material loss and needs to be restored to victims (Zehr, 1990; McCold, 1996) as well as to other stakeholders in order so that they might regain order in their lives. It is clear from the results that following their participation in CJFs, 97% of questionnaire respondents at least 'somewhat' regained a sense of control over what happens in their community. More specifically, 54% indicated that CJF participation helped 'quite a bit' and an additional 20% reported that it helped 'very much'. There appeared to be no significant differences among victims, offenders or their respective supporters as the majority of respondents in each category reported that the CJF process gave them 'quite a bit' of control. However, the average response was slightly higher for victims' supporters. Both offenders' and victims' supporters reported a high level of 'sense of control' (Table 6). It is reasonable to conclude therefore, that the CJFs indeed served to empower the victims and the community - by directly involving its members in solving problems.

- ***Psychological Healing of Victims and a Regained Sense of Security***

In the context of the conventional court system, "Victims say that little attention is given to ... the psychological and emotional consequences of victimization" (Sherman and Strang, 1997). In this study, victims who experienced the CJF process did not report feeling this way. In fact, 88% of victims who were interviewed reported that the CJF helped 'quite a bit' (50%) or 'very much' (38%) with their psychological healing. An additional 12% reported that it helped ['to some extent' (9%) or 'moderately' (3%)]. Consistent with the expectations of many victims who said that they participated in the CJF 'to get things resolved, and to get an answer to *why*?', according to the data, the CJFs helped victims' feelings of vindication [that they were wronged or violated], helped in their understanding of 'why me?', and reduced their fear of re-victimization by allowing everyone involved to explain their point of view. It is likely that meeting the offender face-to-face dispelled their fears of why the offense had occurred (that it was *not* personal) and diminished the perceived likelihood of it reoccurring (i.e., gave them a sense of security). It may have also given them a more realistic view of the type of person the offender

actually was rather than seeing them stereotypically, as a malicious criminal. The responses of both victims' supporters (mean rating 3.8) and offenders' supporters (4.3) to the question regarding restoration of a sense of security and safety also provided additional support. Results from the RISE in Canberra also demonstrated that victims were less fearful of re-victimization when they had participated in a family group conference than when their cases were dealt with in a court ((Sherman et al, 1998). Some of the victims' perception of psychological healing is captured in the following comments:

"Once we talked I was no longer scared of her."

"We found out that there were no personal reasons. I'm not standing here wondering anymore. The fact that he had to verbally explain his actions, apologize and write a letter of apology gave me satisfaction. He got the consequences of his actions. I don't think he'll ever do it again."

"Yes, he doesn't make me mad everyday to see him."

"I felt better that they apologized to me and said they had no personal grudge against me - they were just fooling around."

One victim (a store owner) explained,
"It provides some closure for them [my staff]. They got to go and vent and express the problems it caused them."

Following a CJF, the mother of a young victim of bullying in school observed,
"Her self-esteem went up as well as her grades. The kids never have done this to her again."

The following comments from victim's supporters further illustrate the point,
"I don't think the victim feared him....it did repair the relationship."

"I think it helped my son to take some ownership. He had to face the offender and I think it was a growing experience. I was able to face the offender and tell him how he [my son] felt. At the

end the offender apologized and they both shook hands. They both realized how stupid it was."

"The act of holding offenders accountable for their actions goes a long way toward healing the victim..." (McCold, 1996:87) and as we have already established, a great majority of offenders in the this study did seem to take responsibility for their actions by indicating that they understood the full impact of their actions on others and that they had or planned to comply with the CJF agreement designed to undo the harm. In conjunction, part of victims' psychological healing can also be linked to their involvement in the CJF process. All victims responding to the questionnaires reported being given the opportunity to express their feelings and opinions ['quite a bit' (5%) and 'very much' (95%)]. CJFs provided them with an opportunity to be heard and gave them a voice in explaining how the incident affected their lives - and in also determining appropriate outcomes. Sherman et al (1998) reported similar findings in their controlled comparison experiments (RISE) in Canberrra that in family group conferences as compared to in courts, there was more room for emotional expression, reintegrative shaming was greater, apologies and forgiveness were also greater.

- ***Justice Served - Harmony Restored***

Theories of restorative justice proclaim that the restorative process helps to restore harmony to the community (of impact) when participants attain a sense of justice. In this study, we have evidence of this happening: The mean response to the question 'Was justice done?' was high, 4.3 for the total group of participants. Also, with mean ratings of 4.5 and 4.4 respectively, both victims' supporters and offenders' supporters indicated that in their view, harmony was restored. Interview data from both CJF participants and facilitators have also indicated that CJFs have brought families or even offenders and victims closer together, that relationships in close communities (for example, in residential schools) indeed improved. One of the researchers actually saw an ex-offender spontaneously hug the victim when the victim was leaving and the ex-offender was arriving at the interview site. In two schools, ex-offenders were seen to come in and interact with the school staff and others in a normal, comfortable manner.
It is interesting to note that even after experiencing a CJF, the notion of punishment still was the most prevalent response given by participants to the question 'What is justice?' However,

'punishment' often meant that the offender had to take responsibility for the action and its consequences (another common response) - and engage in some reparative activities - to repair the harm materially (repay for theft or property damage) or symbolically (through apology and/or service) for the sake of fairness (the second most common dimension) to the victims. Umbreit's (1990b) findings on burglary victims' perception of fairness are consistent with the above interpretation. The existing literature tends to support that "the victims are not as punitive as the rather atypical victims whose bitter calls for brutal punishment get most media coverage." (Braithwaite, 1998, p.30), and that quite often, symbolic reparation is sufficient to satisfy the victims' psychological needs (Retzinger and Scheff, 1996; Umbreit, 1990b). We also need to remind ourselves that for the most part, we still live within the conventional justice system - a system dominated by a retributive environment. In fact, offenders themselves and their parents often expressed the opinion that they [offenders] should have been punished a little harder.

- ***Efficiency of CJF in Serving Justice***

There is a saying: "Justice delayed is justice denied." One of the benefits of the CJF seems to be its efficiency in terms of solving a problem as soon as possible, without the usually frustrating delays encountered in the conventional, formal legal system. The data indicated that most often, the CJF took place within 1 to 20 weeks (most often 2 to 4, or sometimes 8 weeks) after the offending incident occurred. The facilitators' observation corroborated the fact. The psychological dynamics necessary for the offenders experiencing shame, taking responsibility for the wrong action and its consequences, for the victims to experience psychological healing - vindication, regained sense of control and security, - and the willingness of the community to forgive and accept the offender, all of these predicted consequences of a CJF seem, to some extent, to hinge on the timeliness of the justice process. Six months or one year after committing an offensive action or undergoing the victimization experience, the memories of the events for either party are not so vivid, emotions are not so strong, and theoretically, the psychological association between the stimulus [offender's action] and the response [re-action of the community] cannot be as strongly established. Therefore, consequences may not be as effective.

- ***Prevention of Future Crime by the Offenders who Experienced CJF***

Maxwell and Morris (1993) were quite right in pointing out that reoffending is not a good measure of effectiveness of any justice system. They explained that reported rate of reoffending may be contingent on a host of unrelated factors such as changes in policing practices, focus and availability of services and programs for offenders, and such rates do not reflect the seriousness of the offences. However, since there is still a popular demand for this type of information, they reported that overall, less than 48% of offenders who attended family group conferences had reoffended within six months. Moore (1995) also reported that a significant reduction in the rate of reapprehension appeared to have taken place among offenders attending family group conferences. Bonta et al. (1998) found a statistically significant lower recidivism rate with offenders who participated in a restorative resolution program compared to other offenders. In the present study, responses to the question about the likelihood of the offenders re-offending showed that offenders themselves and their supporters believed that they were unlikely to offend again (mean response 1.4 or unlikely), although victims' supporters were a little less convinced (mean rating 2.2). In addition, some facilitators informally reported that they had noticed a reduction in crime in areas where they have been practising CJFs. Without the benefit of carefully documented longitudinal data, it would be difficult to ascertain the validity of this belief or to confirm such anecdotal evidence.

Sherman and Barnes (1997) proposed that "procedural justice" or how fairly offenders feel they have been treated, may be a contributing factor in their willingness to obey the law. Direct empirical evidence to confirm or disconfirm this hypothesis is not yet available. However, based on an experimental study, Ervin and Schneider (1990) reported that "Only the self-image variable of lawbreaker and being in school were related in the expected way to subsequent offending." and "Further analyses revealed that one of the most important qualitative differences between formal restitution programs and traditional dispositions is that restitution involves a continuing, tangible, positive action by the youth that culminates in successful completion [of restitution requirements] of a type not found in traditional programs." (p.204). Although the Ervin and Schneider study did not examine effects of CJFs, the reasoning these researchers proposed may apply elsewhere: a positive self-image and experience of positive action by offenders may indeed help reduce recidivism.

Conclusions and Recommendations

Conclusions

In the "Introduction" we stated that according to advocates of restorative justice, the concept of **restorative justice** includes and implies:

- offender taking responsibility for 'wrong action' and its consequences √
- offender given an opportunity to be reintegrated into the community √
- restoring victims' property√
- repairing injury caused by the 'wrong action'√
- restoring victims' and the community's sense of security (reassurance),√
- restoring victims' dignity√
- restoring victims' and the community's sense of empowerment√
- deliberative democracy ("all parties with a stake....resolve collectively")√
- restoring harmony (or reconciliation) in the community based on a feeling that justice has been done√
- 'making things right' for the victims and for everyone else affected by the wrong, √ and
- social support for the victims as well as for the offenders√.

The results of the present study seemed to provide strong support for all of the above, and to indicate that the RCMP restorative justice initiative has been successful in enhancing client satisfaction and improving service delivery through this new approach. However, this was not a controlled experiment, the sample was not random or sufficiently large, and data collection was not as systematic as we desired. Yet, the internal consistency of the results, and the similarity of the present findings with the available research literature including empirical studies that involved controlled experiments seem to lend validity to the data. The fact that there were some unexpected findings such as the finding on 'perceived undue pressure' also seem to indicate that respondents answered honestly, and not the way they believed the interviewers wished. It is also

evident from the findings that the restorative justice initiative, although initially implemented as an extension of the Aboriginal Justice Strategy, has expanded far beyond the Aboriginal communities into the mainstream and that communities which are aware and well-informed about this approach, are usually receptive. The implementation of this approach, however, has yet to occur as consistently or widely as the RCMP aims for. While there are a few detachments in which a handful of dedicated police officers and community members have been working vigorously toward expanding the application of CJFs, there are many more detachments all over the country, where even the RCMP members are either unaware of or indifferent to anything other than the old "re-active" policing style.

Recommendations and Implications.

- Training Standard for Facilitators: It has already been noted that the RCMP initiated the restorative justice philosophy and principles in partnership with Canadian communities in the spirit of community policing. Still, without some minimal standard of training, we risk causing harm to communities instead of restoring harmony through joint problem-solving in a caring, respectful environment. We also risk losing credibility for the relatively recent restorative approach itself. Without adequate training, the facilitator may not be able to function as a neutral, independent agent gently guiding the group through an open and honest discussion of all the relevant facts ('democratic deliberations'), - towards an agreement acceptable to and reached by all participants without feeling any undue pressure. Training standards may also be employed to ensure that those who have a true understanding of and commitment to the restorative justice philosophy and principles are certified by the RCMP as facilitators.
- Prior Briefing of CJF Participants: It is of utmost importance that all potential CJF participants are fully informed of how CJFs work and what to expect at the forum. For example, they should be informed about their right to withdraw at any point from the CJF if they wish to do so. This might also serve to alleviate the perceived undue pressure on potential CJF participants. Misconceptions about the process might place some participants at a disadvantage, and jeopardize the effectiveness of the forum. Maxwell

and Morris (1993) expressed the same concern: "To assume that victims and offenders can simply be brought together and reconciled without careful briefing of the parties first and without considerable training of co-ordinators to manage such emotional and, by their nature, unpredictable meetings is a mistake but one which is remediable." (p. 120).

- Possibility of power imbalance at CJFs: Given the finding that both participants and facilitators said that there was some undue pressure on the participants, and the fact that most offenders who have attended CJFs happened to be in the age group 14 to 19 years, while most supporters and victims were adults, it is important for the facilitators to be scrupulous about procedural and outcome fairness. For CJFs to be restorative, the facilitator has to get together a genuine 'community of care' to participate at the forum, and to ensure that all participants have equal input into the process and outcome - to ensure that those who are vulnerable, - offenders or victims, are indeed empowered. The facilitator also has to ensure that the focus of the forum remains on solving problems or undoing the harm and *not* on assigning blame. It is important for the facilitator to make adequate preparation in order to get a feel for the power dynamics in the family and community (especially, in cases where the problem might have been a consequence of a 'dysfunctional' family or a community), and for all significant others who might make a difference in the lives of the offenders/victims. In this context, we also need to ask the question: Should facilitators take part in the decision-making process, or should they always remain neutral?
- Monitoring/Follow-up for agreement-compliance: In order to enhance the credibility of the CJF process, the facilitator must ensure proper follow-ups of agreement-compliance by offender(s). Follow-up may be done on a routine basis either by facilitators themselves or delegated to responsible participants, and monitored. This procedure should be an essential part of facilitator training, and included in the manual/guidelines. It is obvious that "Plans count for nothing if they are not carried out." (Robertson, 1996, p.57). The facilitators indicated that sometimes CJFs did not probe into and seek to correct the underlying causes of an offence, lack of support system being one of the reasons. We need to focus our attention on this aspect of the system. Otherwise, we may fail the victims and offenders alike.

- Applicability of CJFs: So far in Canada, most of the cases dealt with through CJFs have been conducted at the pre-charge stage (by policy), and have involved property-crimes (e.g., B & E, theft, vandalism) or minor offenses such as bullying, drug possession and assault. Most interview participants, including facilitators did not recommend CJFs for handling cases that involve violent or serious crimes, and many refused to consider this option for repeat offenders, and some, for adult offenders (see Table 14). But is there any potential benefit for the society in using a restorative approach more widely instead of a retributive one? Can CJFs be used for a wider variety of cases? Not just as a pre-charge mechanism, but as a restorative tool to be used at various stages of the judicial process, such as at the post-sentencing stage or pre-release stage? Would it be cost-effective? Would it really help healing? Given the limited but consistent empirical evidence regarding the satisfaction of all participants including victims, these questions merit serious consideration. Although CJFs cannot be and should not be deemed to be a solution to all types of problems, we still need to examine the scope and the limits of this mechanism in Canada, and develop policy guidelines based on 'democratic deliberations' of all stakeholders. We should also note that the Ministry of Justice, New Zealand (1995) raised similar policy issues, and Moore (1995) recommended against detailed legislation in order to maintain the flexibility of the approach.
- Police Role: In implementing the restorative justice initiative, from the very beginning, the RCMP has acted as a catalyst in getting various other police forces, agencies and community members trained and actively utilize the new approach. By the very nature of their duties as 'gatekeepers', the police most often has the first and direct contact with the victim and the offender. From the maximum resource utilization (Braithwaite, 1998) and immediate impact (Moore, 1995) points of view it would be efficient for the police to resolve the problem, especially when dealing with young offenders, as early as possible and at the community level. This type of proactive role of the police should also help the cause of community policing by dissolving the tension between the community and the police seen only as a law-enforcer. CJF is a powerful tool for community policing, and it would be a lost opportunity for the police not using it. Some scholars (e.g., Shaw, 1998) have cautioned that the presence of the police, or other such authority figures at CJFs,

especially as facilitators may be counter-productive. Several reasons have been cited, such as the possibility of "professionalization of restorative justice", to perception of police as biased and racist as well as mistrust of the police in certain ethnic communities. This point must be taken seriously, and proper facilitator training and policies should address this issue. It is, of course, possible for police officers to refer appropriate cases to other trained facilitators and remain at arm's length from the actual CJF sessions, and some are doing just that. However, it is also equally likely that the presence of the police, acting as neutral facilitators, might make all participants, especially the victims and their supporters feel less vulnerable and more comfortable in facing the offenders and their supporters. In fact, preliminary RISE data reported by Sherman et al (1998) indicate that offenders who attended family group conferences were more likely to say that they trusted the police, and that the police were fair to them. Other additional benefits of police participation might be an increased awareness of the police about problems and their perpetrators in the communities, and the creation of a legitimate environment at CJFs where rules must be followed, and arbitrary decisions arising from a 'mob psychology' will not be tolerated.

- Referrals. In this context of police role, clear policies and guidelines need to be established regarding referrals of cases for CJFs. Caution must be exercised to ensure that discretion is not selectively biased toward offenders from certain segments of the society, deemed to be especially worthy of a 'second chance'. Practical policies and guidelines are also necessary to deal with cases where offenders are found not to comply with the CJF agreements without sufficient justification. Certain jurisdictions prescribe against such 'failed' cases to be taken to the court (preventing 'double jeopardy' for the offenders), and this stipulation has sometimes discouraged police officers from considering CJF as a preferred option.
- Increased Education and Awareness. The findings consistently indicated that efforts to increase the education and awareness of the police, other levels of government as well as communities regarding restorative justice, and specifically, regarding the CJF as a viable option, must be continued - indeed, expanded and accelerated, in order to make such a gigantic cultural change to happen. Awareness and education will not only make

participation of community members more likely, but also more cases are likely to be referred to the police or other authorities for problem-solving through CJFs.

Future Research

In the present research project, we have not closely examined the nature of the agreements reached at CJFs. We know, for example, that for thefts or property damage, agreements quite often involved restitution in the form of money, community work, writing a letter of apology etc. But we do not have consistent information on whether or not counselling, job training or other professional assistance was part of agreements in appropriate cases, or when it was, if there was any monitoring to ensure that the plan was followed through, that adequate resources were indeed available, that families received necessary support (one interesting finding was the facilitators' observation that young offenders who have parental support are more likely to fully comply with CJF agreements), and that there was a lasting effect of the CJFs for the offender, the victim and the community.

If at all possible, future research should also aim at a comparison of cases dealt with in courts vs. CJFs, in terms of changes in attitudes for all stakeholders, recidivism, efficiency in time and expense. This type of research can be attempted on a small scale, even as a pilot project. Similarly, a comparison of the effectiveness (measured in terms of participant satisfaction, perceived fairness of the process/outcome etc.) of CJFs facilitated by police officers and trained community facilitators who are not formal authority figures might also be useful.
Finally, this new approach can flourish only through careful longitudinal research demonstrating its usefulness, its limitations and an ongoing effort to improve the process. The preliminary findings gleaned from the present research project are undoubtedly encouraging, but systematic documentation (not necessarily extensive paper work) and follow-up are absolutely essential for restorative justice to find a meaningful place in the Canadian justice system.

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Appendix A

A Dean of Education at a college contacted the RCMP regarding a complaint of harassment. Over the last three years the female students in a college have been harassed by a few male students with obscene and hurtful comments. Some of the girls occasionally complained to the teachers, but most of them felt discouraged or afraid to do so. Some girls rather chose to leave the college, others felt a loss of self-esteem and experienced other emotional problems. Many of the girls were afraid to participate in extra-curricular activities, or go to social events because they feared abuse. The Dean felt that the college has had little, if any success to remedy this problem.

The specific event that was the reason for his contacting the RCMP was that a few girls with encouragement from their house-parent had come forward about a long term abuse from one particular boy, John Smith (fictitious name). The girls had written records of some of his comments. John was a senior student, a very good Hockey player with scholarship potential for his next educational step. When the offender was confronted, he admitted the abuse and agreed to participate to a Community Justice Forum (CJF). The participants were: The Dean, two house-parents for female dormitories, the offender, a friend of the offender, the Dean of Residences, two house-parents for male dormitories, college social worker, six female victims and two CJF facilitators.

The forum started with John Smith (fictitious name) admitting the abuse, but at first he appeared defensive and resentful. He had his hands in his pocket and sat slouching in his chair. The facilitator approached the victims next, one at a time. The first victim exploded in a burst of anger and tears and after regaining composure, she told the offender about how the abuse had changed her life. All the other victims expressed similar feelings and opinions, and talked about other victims who had left the college with no plans to return. They told the offender how their parents felt concerned but helpless when informed about the abuse. The victims' supporters said

how helpless they felt when the girls complained to them about the problem, and they could not solve it. Instead, they had to observe the negative effects of the continued abuse on the girls. Gradually, the offender's hands had come out of his pockets. He was wringing his hands, leaning forward, then covered his face with his hands. The offender's supporters also seemed deeply affected by the victims' and their supporters' statements and expressed their belief that if the offender had known the impact of his actions, he would not have done it. John's friend said that he had never seen John affected like this, not even when he had broken his arm. The Dean of the residences, a big athletic man, tried to talk about the problem from an administrative point of view, but got choked up, and started to cry. Even the three observers outside the circle were crying. The social worker cried as she described how she felt when the girls approached her about the harassment. The Dean of Education spoke last, describing the responsibilities of the college and staff to be able to provide a harassment-free learning environment to all students. The offender was then given an opportunity to respond. He said, "You probably won't believe me, but I never knew how much I was hurting you. I am sorry." The girls accepted this apology and said, "Other boys do it too, but it hurts more when you do it, because we really like you, and because you are a leader here, others do what you do." John said that when he came to the CJF, he thought that others were out to 'get' him, but he was wrong. The girls were satisfied with an apology and a promise to tell the other boys to stop the harassment. They objected to the other options like expulsion, suspension, or detention. Even a suggestion that John speak to the general assembly was rejected as stigmatizing.

At the end of the conference (coffee and donut stage), the offender was surrounded by the girls, who thanked him. John seemed bewildered by their forgiving and friendly attitude, and said that he would go to each of the boys' dorms to tell them to change their behaviour towards girls. John's friend promised to accompany him.

Follow-up indicated that others thought John was a "different" and a happier boy - that there was a noticeable, miraculous change in him. The girls confirmed that the harassment had almost been totally eliminated. A talk by the RCMP on harassment was held soon after to the entire school and student body, with a plan to repeat it in the following year. Two years after the incident, John willingly participated in an interview with one of the researchers. He was visiting

the school and participating in an unofficial sports event with other students. In response to the interview questions, he expressed very similar views and emotions as he had expressed during the CJF.

Appendix B

Summary of A Few CJF Case Histories			
Offence	**# of CJF partici-pants**	**Age /Gender/ Ethnicity of offenders**	**Nature of Outcome/Agreement**
Theft under	5	Male Teenager, school student	Agreement reached, but facilitator not hopeful of compliance
Theft and mischief	6	2 Cree Male Teenagers	Agreement reached, victim seen talking pleasantly with offenders
Drug possession	11	1 Aboriginal Male youth 15 years	Agreement reached, facilitator satisfied
B & E and Theft under	5	Under 12, Male	Agreement (apology)
Shoplifting	7	Male teenager	Agreement reached: community service
Shoplifting	6	Female Teenager	Agreement reached: community service
Theft and abuse of telephone calling card	9	Three (2 Males, 1 Female) teenagers	Payment of charges and a letter to Telephone Co. recommending credit for victim
Theft & damage of laptop	15 (4 observers)	Male Youth, student	10 hrs of CSW and pay for any damage to laptop
Possession of Narcotics	15	School student	Yes, all satisfied
Property damage & obscene gesture	2 (victim & parents declined to attend)	18 yr old Female	Letter of apology and stay away from victim
B & E	13	7 Offenders 11, 11, 13, 14,15, 15, 16 years	Apologies, all satisfied
Assault	7	Female teenager	Written apology and promise not to glare, both victim and offender satisfied

Theft under	7+ 2 observers	14 yr old Male	Complete all school assignments, set up a dance, assist school janitor for 2 weeks: agreed.
Theft of ATV	8	Male young offender	All satisfied with agreement and apology
B & E	9	School student Aboriginal	80 hours of work at the Fisher River Arena under the caretaker's supervision. All satisfied.
Assault of officer	13	2 Female teenagers, not first-time offenders	No hanging around in mall (alcohol), ride-along, co-chair youth committee against alcohol/drugs. Complied.
Hit & run (police officer victim)	5	24 yr old Male, would-be lawyer	Fines to pay for torn uniform, research and write article re legal responsibilities of snowmobilers. Complied.
Phoned 2 bomb-threats	11	16 Female high-school student	Written apology, one hour each day in Life Skills Dev. Class (for developmentally handicapped students, who were injured during evacuation)
Assault	16 (reserve)	Grandfather, 70 ? yr old (Aboriginal)	Treatment for alcohol addiction, speak to school re alcohol and family violence
Receiving stolen property from B & E	8	18 yr old Male, proud to be 'criminal master-mind'	Deep shame when father cried. Paid money to recompense, replace CD player (broken), volunteer 2 shifts at homeless shelter, attend school regularly {facilitator doubts long-term positive effect of shame)
Public Mischief (leaking air our of police cruiser tire)	5	20 yr old Male & Male buddy	Write article in paper on the offence & its possible consequences; make a presentation re. this in high school
Breach of probation, uttering threat	10	Adult? Male (Aboriginal)	Attend AA and treatment (after care counselling); teach traditional skills to youth; participate/support study of treaty for traditional land use
Sexual harassment	5	25 yr old Male bartender and Male bar manager in 40's	Harassment policy posted, offenders and all employees to attend harassment workshop. Victim happy.

Public Mischief (arson) burnt offender's mother's, damaged car. victim insurance company	5	Two Male young adults, one with records of similar previous offences as a young offender (still owed $4000 to insurance company, but he and his mother lied, denied, so was excluded from CJF, sent to court)	Complete carpentry/similar program/ grade 12; attend counselling; pay back insurance company each month; perform community work with insurance company or police towards earning money; report bi-monthly to insurance company.
Used a Pizza hut customer's visa number to ring up a bill of 178 for phone-sex line	5	17 yr old Male	Paid back, written apology explaining offence for the sake of victim's wife and friends; volunteer work for Salvation Army prior to Christmas
Shoplifting	5	13 yr old Male	Written apology to store manager. Facilitator believes it will have a long-term benefit. Offender in tears at older brother's disappointment.
Theft of 2 cheques and forgery	5	19 yr old Female college student for ECE	Very emotional to learn that a criminal record would have ended career aspirations. Paid back immediately. Victim satisfied, had trust in young people restored.
Theft under	11	Three 14 yr old Males	Youths to clean local ball park and nearby roadways, cut lawns at the health clinic where they had stolen. The words shame, hurt and trust came up often from family members on both sides. (Not reoffended in 8 months)
Drove mother's vehicle without her knowledge, was demolished in an accident	10	Two 14 yr old Females	Words 'hurt' and 'trust' were mentioned. Offenders voluntarily apologised; counselling for alcohol and drug abuse, write an essay on the same, pay for the tickets received and towards financial loss resulting from accident.

Assault with weapon	8	Male youth (teenager?)	Apology was accepted and offender's mother seemed prepared to deal with it later at home.
Forgery and uttering threats (victims offender's parents)	4	Male 16 yr old	Apologise to parents and bank representatives; pay back money, attend drug counselling, stay in school. Facilitator unsure if there was a long-term impact on the offender; helped family communication, he believes.
Public mischief	10	Two 16 yr old Females and one 17 yr old Female	Apologise to teachers, students affected by graffiti through newsletter, assist this class (for developmentally delayed), pay for damages to school portable.
Theft of MV, dangerous driving, hit and run	7?	Two 11 yr old Males (seems that for the mastermind, not the first offence; parents don't speak English)	Paid back for damaged articles from allowance and work; personal apology to all victims, including a 70 yr old mother of a victim who lives in the same house that was hit by the car.
Assault with weapon	8	2 Teenagers?	Apology to school staff, victim and victim's family; write an article for school newsletter and local newspapers; Basic Firearms Training course
Neglect of bison and refusal to pay for their care by others	9	Adult, Male	Bills paid, bison returned to farmer, SPCA to monitor operation; all satisfied and grateful with process and outcome
Sexual harassment for 3 years leading to leaving college, avoiding social/extra-curricular activities	16 +2 staff members, 1 observer	Male young adult student	Apology Offender and friend voluntarily went to each dorm talking to other male students against harassing the girls.

Public Mischief and Property Damage worth $1180.00	6 including school Principal, vice-principal and janitor	2 Male school students (teenagers?)	Pay in a week $590.00 each; Apology letter to school staff; 2 days work with janitor in December.
Public Mischief (damage and desecrecatio n of tomb stones)	16		Restitution, repair damaged stones that can be repaired, clean weeds in heritage park, and plant flowers in cemetery; 10 hours of community work' research paper on deceased whose tomb stones were damaged
Vandalism (public mischief? Spray painting business bldgs. car garages, vehicles, graffiti)	19	4 Boys Aboriginals?	Apologies, 5 hours of community work (clean-up of town) for each boy
Theft under	13 + 4 observers	Male 17 yr old student	Failed: need of advance preparation was learned
Breaking into an automobile, causing $1000.00 damage, stealing a leather jacket	7	Male 17 yr old	Apology, paid back $1050 (offender's father), organize a small food drive in school for a local food bank [victim promised a new leather jacket to offender when he completed the agreement]

Theft of a hockey stick ($70.00), returned before conference	13	Male 17 yr old (expelled when didn't comply with chores suggested as punishment by dorm leaders)	Agreement was reached; follow-up two weeks later seemed to indicate that the boy was accepted back into the school community
B & E and property damage ($80) of a single mother, too afraid to attend CJF	9	Male YO (1st time offender; accomplice was a repeat offender, according to Crown not suitable for CJF)	Apology when Len acted as a 'surrogate victim' and described the psychological and financial impact after the official surrogate victim read the victim impact; community service
Auto-theft, dangerous driving	10 +2 observers	3 Juvenile Females	Wash cars at a car dealer (owner also Mayor and attended CJF) for 3 Saturdays. One girl, a visitor would organize a food drive in her class room for a charity
Theft under (hockey stick, &130.00)	9 + 1 observer	Male 17 yr old	1 extra hour of study and community-oriented chore for 2 weeks
Possession of Marijuana	10 + 2 observers	Female teenager? Student	Apology, never use narcotics again, oppose it, perform 2 weeks of extra duties and community service at the college
Vandalism (Principal's house and another teacher's car)	offenders + 17 parents + victims + 2 RCMP officers, school secretary	13 Teenagers	Food drive, assisted by principal and parents
Assault (minor, slapping)	8	20 yr old teacher	Initial apology had not been accepted, at CJF it was by all.

Assault of a 7 yr old boy (in the locker room of a school)	5	28 yr old Female single parent of a 7 yr old Female student	Spontaneous apology
Assault (mother)	10	14 yr old Male	Spontaneous apology, promise never to hurt anyone again, anger management, monitoring by significant others
Violation of school policy (sent to school office 72 times for discipline problems, suspended 5 times with no lasting effect)	12	12 yr old Male	Keep a journal listing all negative and positive behaviour, discuss at least 1/3 weeks with a Christian counsellor until end of school year, promise to meet guidelines and respect others; monitoring
Assault (& harassment)	7	Two 13 yr old Males	Apologies, 50 hrs of community service at hockey rink (victim's mother objected to suggestion of 100 hours each). 3-weeks later, everything was going OK
Assault	10 + 1 observer	13 yr old Male	Anger management counselling and promise not to use violence against anyone
B & E, Theft under	16	Four 13 yr old Males	Work to earn $20 each to reimburse the cost of a stolen coat, show where stolen wallet was thrown, promise never to do this again, and not to retaliate against victim's daughter who goes to the same school. (Wallet was recovered intact with all personal papers; one offender had re-offended and charged with B & E)
Assault (9 Yr old M student)	9	Adult teacher (for 23 yrs)	Apology and promise to treat all students, specially victim with respect and not to use violence with anyone; follow doctor's instructions re. Health issues and consult with Principal and school counsellor

Theft under (candy vending machine: damage $400.00)	11	Male 14 and Male 16 yr old	Pay restitution ($200.00), perform 10 hours of community service work.
Assault, uttering threat in a secure custody for young offenders	9+ 1 observer	Male 17 yr old repeat offender	A verbal apology, 3 days of isolation with 2 hr scheduled activity on the second and third days, return to living unit with day shift privileges, decision to return to regular program to be made then: everyone satisfied to have an input into the process and the agreement
Assault (wife?)	7	Youth (Aboriginal)	No alcohol /drug use; establish and follow supervised by NNADAP counsellor a personal physical, mental, emotional, spiritual treatment plan; 300 hrs community work; prepare and present at public gathering hand-made gifts for victim; no contact with victim on own
Theft over $5000.00	?	?	Pay for damage totalling $2998.30 to snow machine; develop with (and be monitored by the same) a member of the 1st Nations social team a 6-month treatment plan (failure to comply could result in further actions, even a formal charge at the Territorial court)
Possession of a firearm (?) : no details	8	Adult single mother Aboriginal	Attend alcohol/drug abuse prevention workshop; pre-treatment counselling; and aftercare program; 40 hrs of community service work service; complete a fire Arms safety course; keep peace.
Assault (wife)	6	Adult Male Aboriginal	A real apology, respect, contact to be initiated by wife, one counselling session per week until residential treatment centre attendance, aftercare
Underage drinking		Youth Aboriginal	Reside in family cabin for the duration of agreement; stack wood for grandmother. Attend counselling. Seek employment at ....maintenance camp. Failure to comply may result in further actions and/or court charges.

Assault	14	Three Male youths	Spontaneous apology and promise to respect others; everyone satisfied. All shook hands, apologized to each other.
Assault (minor)	4	Female youth	Apology and promise not to talk about it to anyone any longer (both victim and offender waitresses at the same bar). All satisfied.
Shoplifting (a belt costing $29.00)	4	Male youth	Written apology explaining why he did it and why he should never do it again.
Possession of drugs (marijuana and hash pipe)	8	16 and 18 yr old Males	Parents (victims) did not want a written agreement; boys had been punished at home by withdrawal of a trip for example. CJF allowed them the opportunity to express their thoughts and feelings about it
Computer hacking causing a loss of estimated $29,100 to Internet service provider	?	Male 24 yr old	Repay $5600
B & E (residential)	9	Male 16 yr old, Male 15 yr old, and Female 15 yr old (victims' daughter and friends of offenders	Pay $100 each (2 boys) for broken door; clean and paint the fence; female offender volunteered to help with the work on fence. (Complied)
B & E and theft under	6	Male 13 yr old	Being able to explain the full impact of the offence was considered sufficient by the victims
Theft under? (Also confessed to 9 offences: B & E, thefts, vandalism, arson)	25	16 and 17 yr old Males	A newspaper interview regarding the consequences of their action (considered more punitive than what would be expected in a court, yet willingly agreed to by offenders)

Theft under (wallet with $50 in it)	6	Male youth	Pay $50 to recover the cost of the stolen wallet (the first thing the victim had bought with money she had earned)
Shoplifting (stealing candies)	3	Female youth	Restitution of $8.28 to the store, and 10 hrs of community work for the local First Nations Band (complied)
Shoplifting (stealing candies) also admitted on her own 2 previous occasions without getting caught. Was grateful	3	Female youth	Letter of apology to the manager of the store to be delivered in person. (Fulfilled)
Shoplifting and B & E, theft under	?	2 Male youths (brothers)	Mother had revoked all freedoms and privileges, so no formal agreement was not considered necessary; all were satisfied

Appendix C: Questionnaire to be Administered to each CJF Participant

Questionnaire for Community Justice Forum (CJF) Participants

[The first two questions may be answered/reported by the facilitator, if possible.]

1. What was the incident (offence) for which you attended a CJF?.....
.....
.....

2. Approximately how long after the incident (offence) did the CJF take place?
.....weeks

Using the following scale, please answer questions 3, 4, 5, and 6; please choose the appropriate number and circle that number to describe your opinion.
Very Low = 1 Low = 2 Medium = 3 Quite a bit/High = 4 Very High = 5

3. What was your overall level of satisfaction with your experience with the CJF?
1 2 3 4 5

4. In your opinion, was the process followed at the CJF a fair process? **1 2 3 4 5**
(All had a chance to express views and emotions openly and honestly)

5. In your opinion, was the agreement fair? **1 2 3 4 5**
(All had a chance to provide input without any pressure from anyone)

6. To what extent do you think that justice was done? **1 2 3 4 5**

7. What does 'Justice' mean to you (in your own words)?.....
.....

8. What was the agreement?.....

9. If you had to do it over again, based on what you know about the court system and about this new approach (CJF), which one would you choose, the court or the CJF? .....

Other Reports Available

Date	Title	Author
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March 2003	The Direct and Indirect Impacts of Organized Crime on Youth, as Offenders and Victims	Holly Richter-White, M.A.
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June 2002	On Organized crime and police cooperation in the European Union- lessons learned. Interview with Professor Cyrille Fijnaut.	Marcel-Eugène LeBeuf, Ph.D.
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1999	A Report on the Evaluation of RCMP Restorative Justice Initiative: Community Justice Forum as seen by Participants	Jharna Chatterjee, Ph.D.
August 1998	Restorative Justice And Policing In Canada Bringing The Community Into Focus	Margaret Shaw & Frederick Jané